

FEDERAL REGISTER

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Agencies in this issue—

Atomic Energy Commission
Civil Service Commission
Commodity Credit Corporation
Consumer and Marketing Service
Federal Aviation Agency
Federal Communications Commission
Federal Power Commission
Federal Reserve System
Food and Drug Administration
Immigration and Naturalization
Service
Interior Department
Interstate Commerce Commission
Land Management Bureau
Maritime Administration
Securities and Exchange Commission

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Volume 78

UNITED STATES STATUTES AT LARGE

[88th Cong., 2d Sess.]

Contains laws and concurrent resolutions enacted by the Congress during 1964, the twenty-fourth amendment to the Constitution, and Presidential proclamations. Included is a nu-

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The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

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Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Federal Power Commission

Section 213.3329 is amended to show the exception under Schedule C of a third position of Private Secretary in the Office of the Chairman. Effective on publication in the FEDERAL REGISTER, paragraph (a) of § 213.3329 is amended as set out below.

§ 213.3329 Federal Power Commission.

(a) Three Private Secretaries in the Office of the Chairman, one Confidential Assistant to the Chairman, and one Private Secretary, and one Confidential Assistant to each other Commissioner.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] MARY V. WENZEL,
Executive Assistant to
the Commissioners.

[F.R. Doc. 65-6639; Filed, June 23, 1965; 8:48 a.m.]

Title 7—AGRICULTURE

Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

SUBCHAPTER D—REGULATIONS UNDER THE POULTRY PRODUCTS INSPECTION ACT

PART 81—INSPECTION OF POULTRY AND POULTRY PRODUCTS

Further Postponement of Effective Date of Certain Amendments With Respect to Poultry Soups

The effective date of the provisions of §§ 81.134 and 81.208 of the regulations under the Poultry Products Inspection Act, as amended (21 U.S.C. 451 et seq.), as set forth in the amendments of the regulations published on July 7, 1964 (29 F.R. 3456), insofar as such provisions relate to soups (whether dehydrated, canned or otherwise prepared) containing poultry ingredients, is hereby postponed until August 1, 1965, pursuant to the authority of said Act. During such period of postponement, the provisions of § 81.208 (a) and (b) of the regulations, as published August 15, 1962 (27 F.R. 8098, 7 CFR 81.208 (Supp. 1963)), shall be in effect with respect to such soups.

This action is necessary in order to afford equitable treatment to all poultry soup processors in view of the issuance of a preliminary injunction on behalf of one processor of dehydrated soups in an action which is pending in the U.S. District Court for the District of New Jersey. In order to accomplish its purpose, this action must be made effective on July 1, 1965, when a prior order (30 F.R. 7239) of postponement of effective date expires. Therefore, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found for good cause that notice of rule making and other public procedure with respect to this action are impracticable and good cause is found for making it effective less than 30 days after publication hereof in the FEDERAL REGISTER.

(Sec. 14, 71 Stat. 447, 21 U.S.C. 463; 29 F.R. 16210, as amended; 30 F.R. 1260, as amended; 30 F.R. 2160)

This action shall become effective on July 1, 1965.

Done at Washington, D.C., this 21st day of June 1965.

G. R. GRANGE,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 65-6628; Filed, June 23, 1965; 8:46 a.m.]

MISCELLANEOUS AMENDMENTS TO CHAPTER

Change of Agency Name

In Chapter I of Title 7, Parts 101 through 108 and 110 through 113 are amended as follows:

Pursuant to the provisions of section 28 of the United States Warehouse Act (7 U.S.C. 268), §§ 101.2(h), 102.2(g), 103.2(f), 104.2(g), 105.2(g), 106.2(h), 107.2(g), 108.2(h), 110.2(h), 111.2(f), 112.2(h), and 113.2(g) of the regulations (7 CFR 101.2(h), 102.2(g), 103.2(f), 104.2(g), 105.2(g), 106.2(h), 107.2(g), 108.2(h), 110.2(h), 111.2(f), 112.2(h), and 113.2(g)) issued under said Act are each hereby amended to read as follows:

Service. The Consumer and Marketing Service of the Department.

Statement of considerations. These amendments are of an organizational nature. They merely reflect the change in name of the agency which administers the U.S. Warehouse Act and make no substantive change in the regulations. It is found under section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that notice and other public procedure regarding the amendments are unnecessary, and good cause is found for making the amendments effective in less than 30 days after the publication thereof in the FEDERAL REGISTER.

They shall become effective upon publication in the FEDERAL REGISTER.

(Sec. 23, 39 Stat. 486; 7 U.S.C. 268; 29 F.R. 16210; 30 F.R. 1260, 2160)

Done at Washington, D.C., this 18th day of June 1965.

CLARENCE H. GIRARD,
Deputy Administrator, Regulatory Programs, Consumer and Marketing Service.

[F.R. Doc. 65-6629; Filed, June 23, 1965; 8:46 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Tree Nuts), Department of Agriculture

PART 915—AVOCADOS GROWN IN SOUTH FLORIDA

Expenses and Rate of Assessment

On June 8, 1965, notice of rule making was published in the FEDERAL REGISTER (30 F.R. 7501) regarding proposed expenses and the related rate of assessment for the period beginning April 1, 1965, and ending March 31, 1966, pursuant to the marketing agreement, as amended, and Order No. 915, as amended (7 CFR Part 915), regulating the handling of avocados grown in south Florida. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Avocado Administrative Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 915.204 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Avocado Administrative Committee during the period April 1, 1965, through March 31, 1966, will amount to \$11,266.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 915.41, is fixed at \$0.025 per bushel of avocados.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that (1) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable avocados handled during the aforesaid period, and (2) such period began on April 1, 1965, and said rate of assessment will auto-

atically apply to all such avocados beginning with such date.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: June 18, 1965.

PAUL A. NICHOLSON,
Acting Director, Fruit and
Vegetable Division, Consumer
and Marketing Service.

[F.R. Doc. 65-6630; Filed, June 23, 1965;
8:46 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER A—GENERAL REGULATIONS AND POLICIES

PART 1408—SETOFF, WITHHOLDING AND STOP PAYMENT POLICIES OF COMMODITY CREDIT CORPORATION

GENERAL

- Sec.
1408.1 Purpose.
1408.2 Definitions.
1408.3 Applicability of regulations of the Secretary of Agriculture, Part 13, Title 7, Code of Federal Regulations.

DEBTS DUE CCC

- 1408.4 Setoff.
1408.5 Withholding.
1408.6 Stop payment.

SETOFF POLICY APPLICABLE TO OTHER AGENCIES OF THE UNITED STATES

- 1408.7 Debts due ASCS or C & MS.
1408.8 Debts due other agencies.
1408.9 Requests for setoff against amounts payable to debtors by CCC.

MISCELLANEOUS

- 1408.10 Notice to debtor.
1408.11 Conditions under which setoff, withholding, or stop payment actions will not be taken.
1408.12 Order of priority of setoffs.
1408.13 Rights of debtors.
1408.14 Assignments.
1408.15 Interest.
1408.16 Debtors operating under more than one name.
1408.17 Responsibility of agents of or contractors with CCC.
1408.18 Administration.

AUTHORITY: The provisions of this Part 1408 issued under sec. 4(d), 62 Stat. 1071; 15 U.S.C. 714b.

GENERAL

§ 1408.1 Purpose.

This part states the policies of CCC and the conditions under which (a) debts owing to CCC will be set off against amounts payable to debtors by CCC, (b) requests will be made by CCC to other agencies of the United States for setoff against amounts payable by them to such debtors, and (c) debts owing to other agencies of the United States may be set off against amounts payable to debtors by CCC. This part also states the policies and the conditions under which actions will be taken to withhold or stop payment of amounts due debtors by CCC. The provisions of this part shall not apply to the collection of amounts due CCC under a contract by deduction from amounts otherwise payable under the same contract, since the

collection of amounts due CCC in such cases is necessary to determine the amount properly payable under the contract.

§ 1408.2 Definitions.

(a) The term "setoff" means the application of a specified amount from amounts payable to a debtor as liquidation, in whole or in part, of an amount owed by the debtor.

(b) The term "withholding" means the taking of action temporarily to prevent the payment of a specified amount from amounts payable to a debtor.

(c) The term "stop payment" means the taking of action temporarily to prevent the payment of all amounts payable to a debtor under one or more contracts.

(d) The term "CCC" means the Commodity Credit Corporation.

(e) The term "ASCS" means the Agricultural Stabilization and Conservation Service of the Department of Agriculture.

(f) The term "C&MS" means the Consumer and Marketing Service of the Department of Agriculture.

(g) The term "other agencies" includes any department, establishment, commission, administration, authority, board, bureau, or service of the United States, or any corporation other than CCC all of the capital stock of which is owned by the United States.

(h) The term "Executive Vice President" means the Executive Vice President of CCC.

(i) The term "in kind" means a payment-in-kind certificate.

§ 1408.3 Applicability of regulations of the Secretary of Agriculture, Part 13, Title 7, Code of Federal Regulations.

The provisions of this part are not applicable to withholding or setoff action taken against amounts approved by Agricultural Stabilization and Conservation county committees for disbursement to persons under programs administered by the Department of Agriculture, or any agency thereof. The regulations governing such administrative action are contained in Part 13 of this Title 7, Code of Federal Regulations.

DEBTS DUE CCC

§ 1408.4 Setoff.

(a) Debts due CCC shall be set off, in whole or in part, against amounts payable to debtors by CCC, either in cash or in kind, where the following conditions apply:

(1) The debtor has been given a reasonable opportunity to pay.

(2) The debtor has been notified that the debt will be collected by setoff.

(3) There is no legal bar to enforcement of the debt.

(4) The debtor has not disputed the validity of the amount of the debt or, if disputed, there is no reasonable basis to support the debtor's position or both of the following conditions apply:

(i) Compromise settlement cannot be effected and referral of the debt for legal action is not considered feasible because the amount of the debt is too small to warrant litigation, or there is good reason to believe the debtor may be unable financially to satisfy a judgment by the

time the courts would render a decision, and there are no issues involved requiring court adjudication in the interest of program operations.

(ii) The setoff has been approved by an authorized claims official of CCC.

(b) A judgment in favor of CCC, or in favor of the United States on a claim of CCC, shall be set off against amounts payable to a debtor by CCC but, prior to taking such action, the approval of the Department of Justice (U.S. Attorney) shall be obtained.

(c) A debt due under the Civil Frauds Statute, section 231 of Title 31, United States Code, shall be set off against amounts payable to the debtor by CCC, if the Department of Justice has authorized setoff.

(d) Debts due CCC from rail carriers for overcharges or for loss or damage shall be set off against amounts due such carriers under freight bills involving shipments on commercial bills of lading, in the following cases:

(1) Any overcharge debt if:

(i) The carrier, without reasonable justification, has declined payment of the debt or has failed to pay the debt after being given a reasonable opportunity, and

(ii) The period of limitation prescribed in section 16(3) (i), Title 49, United States Code, has not expired.

(2) Any loss or damage debt of less than \$150 if:

(i) Demand for payment was made on the carrier within the period of time specified in the bill of lading.

(ii) The carrier has declined payment of the debt without reasonable justification.

(iii) The period of limitation prescribed in the bill of lading has not expired, and

(iv) The debt cannot be grouped with other similar debts against the same carrier, making a total of \$150 or more.

(3) Any loss or damage debt if the debt can be set off against the bill for transportation charges on the shipment on which the loss or damage occurred.

(4) Any overcharge or loss or damage debt due CCC on which the applicable period of limitation has run may be set off against any amounts owing by CCC to the carrier which are subject to a defense of limitation.

(e) If a CCC debt which is subject to collection by setoff under this part cannot be so collected because of insufficient amounts payable to debtor by CCC, CCC shall request another agency of the United States to set off the debt against amounts payable to the debtor in any case where CCC has information that amounts are payable to the debtor by that agency.

§ 1408.5 Withholding.

Withholding shall be made from amounts payable to a debtor by CCC, either in cash or in kind, to insure that the interests of CCC and the United States will be protected, in the following cases:

(a) Where there has been a serious breach of contract or violation of program requirements and the withholding action is considered necessary to protect the financial interests of CCC.

(b) Where there is substantial evidence of violations of criminal or civil frauds statutes and criminal prosecution or civil frauds action is of primary importance to program operations of CCC.

(c) Where prior experience with the debtor indicates that collection will be difficult if amounts payable to the debtor are not withheld.

(d) Where there is doubt that the debtor will be financially able to pay a judgment on the claim of CCC.

(e) When a judgment on a claim of CCC has been obtained.

(f) Where requested by the Department of Justice.

§ 1408.6 Stop payment.

Stop payment shall be made of all amounts payable to a debtor by CCC in any of the cases described in § 1408.5 where the facts available are insufficient to determine the amount to be withheld or where it is determined that the circumstances with respect to the debtor's acts are sufficiently serious that all payments to the debtor should be stopped immediately in order to protect the interests of the United States.

SETOFF POLICY APPLICABLE TO OTHER AGENCIES OF THE UNITED STATES

§ 1408.7 Debts due ASCS or C&MS.

Debts due the United States under ASCS and C&MS programs shall be set off against amounts payable to debtors by CCC in cash. In effecting such setoffs, the provisions set forth in this part with respect to the collection by setoff of debts due CCC shall be followed.

§ 1408.8 Debts due other agencies.

Debts due any other agency shall be set off against amounts payable to debtors by CCC in cash in the following cases:

(a) The agency, the Department of Justice, or the General Accounting Office, submits a request in writing and furnishes information identifying payments to be made by CCC to the debtor: *Provided*, That, if the debt is due a corporate agency and has not been reduced to judgment, such agency must agree to save CCC harmless from liability.

(b) The Internal Revenue Service has filed a notice of lien in accordance with the Internal Revenue Code and has requested setoff, or has served a Notice of Levy in accordance with section 6331 of the Internal Revenue Code, Title 26 of the United States Code, against money payable to the debtor.

§ 1408.9 Requests for setoff against amounts payable to debtors by CCC.

(a) Indebtedness to CCC, ASCS and C&MS shall be set off in accordance with instructions issued by ASCS, without a request for setoff having been made to the appropriate ASCS commodity or State office.

(b) Setoffs to recover indebtedness to agencies other than those described in paragraph (a) of this section shall be made only upon filing of a request or Notice of Levy in accordance with § 1408.8 which shall be mailed or delivered to the appropriate ASCS commodity or

State office, and shall comply with the following:

(1) In addition to the requirements prescribed in § 1408.8, each request for setoff and Notice of Levy shall be signed by an authorized representative of the creditor agency.

(2) Each request or Notice of Levy shall state the amount of the indebtedness separately as to principal and interest, and interest (if any) shall be computed to a date shown in the request. If the creditor agency desires that additional interest be computed on the principal, a daily or monthly interest factor per dollar of principal shall be shown in the request. The amount to be set off shall not exceed the principal sum owed by the debtor plus interest computed in accordance with the request.

(3) Each request shall also state the name and address of the debtor and a brief description of the indebtedness, including identification of the court judgment, if any.

(4) If a notice of lien has been filed in accordance with the provisions of the Internal Revenue Code, section 6323 of Title 26, United States Code, the request or Notice of Levy shall also state the place and date of filing such notice of lien.

MISCELLANEOUS

§ 1408.10 Notice to debtor.

The debtor shall be notified whenever any setoff, withholding or stop payment action has been taken.

§ 1408.11 Conditions under which setoff, withholding, or stop payment actions will not be taken.

Setoff, withholding or stop payment actions will not be taken in the following cases:

(a) Where legal action to enforce the debt due CCC has been barred by a statutory or contract period of limitation, except as provided in § 1408.4(d)(4).

(b) Where collection of a debt has been barred by a discharge in bankruptcy and the debt has not been revived by an action of the debtor.

(c) Where payments against which the setoff would be made are due under freight bills involving shipments on commercial bills of lading, except as provided in paragraph (d) of § 1408.4.

(d) Where the amount payable to the debtor is to be used to satisfy a prior lien on property pledged or mortgaged to secure a CCC loan or sold to CCC. However, any amount exceeding the amount of the prior lien shall be available for withholding or setoff.

(e) Except as provided in § 1408.14, where the amount payable to the debtor is to be used to make payments under an assignment accepted pursuant to contract provisions or program regulations.

(f) When such action will unduly interfere with program operations.

(g) If the debt is in an amount of \$3.00 or less.

§ 1408.12 Order of priority of setoffs.

(a) Debts shall be collected by setoff in the following order of priority:

- (1) Debts to CCC.
- (2) Debts to ASCS and C&MS.

(3) Debts to other agencies of the Department of Agriculture.

(4) Debts to the Internal Revenue Service.

(5) Debts to other agencies.

(b) Within each priority grouping in paragraph (a) of this section, the order of setoff shall be the chronological order of the dates the requests for setoff were received.

§ 1408.13 Rights of debtors.

Setoffs made pursuant to this part shall not deprive a debtor of any right he might otherwise have to contest the justness of the debt involved in the setoff action either by administrative appeal or by legal action except where the setoff is agreed to by the debtor.

§ 1408.14 Assignments.

(a) Notwithstanding any assignment of amounts payable under a CCC contract, CCC may set off against such amounts to collect:

(1) Any amounts due CCC under the provisions of the contract.

(2) Any amounts for which a contractor is indebted to the United States for taxes, with respect to which a notice of lien was filed or a Notice of Levy was served in accordance with the provisions of the Internal Revenue Code of 1954 (26 U.S.C. 6323; 6331) or any amendments or modifications thereof, prior to acknowledgment by CCC of receipt of the notice of assignment.

(3) Any amounts, other than amounts specified in subparagraphs (1) and (2) of this paragraph, due CCC or any other agency of the United States, if CCC notified the assignee of such amounts to be set off at the time acknowledgment was made of receipt of notice of such assignment.

(b) Any indebtedness of a contractor to any agency of the United States which may not be set off pursuant to paragraph (a) of this section, may be set off against any amount due and payable under the contract which remains after deduction of amounts (including interest and other charges) owing by the contractor to the assignee for which the assignment was made.

(c) Notwithstanding any assignment of amounts payable under a CCC contract, CCC may withhold or stop payment of any such amounts in any instance where such action is deemed necessary to protect the interests of the United States as provided in §§ 1408.5 and 1408.6, pending a determination of possible setoff action under this part.

§ 1408.15 Interest.

Interest shall not be paid on delayed payments unless required by contract or in special circumstances as may be determined by the Executive Vice President, or his designee.

§ 1408.16 Debtors operating under more than one name.

Any action authorized by the provisions of this part may be taken against amounts payable to a debtor who operates businesses under more than one name, provided there is identical ownership.

§ 1408.17 Responsibility of agents of or contractors with CCC.

Agents of or contractors with CCC shall carry out the policies stated in this part, if the contract entered into with CCC provides that they shall do so. In carrying out these policies such agents or contractors shall follow the requirements and conditions set forth in this part.

§ 1408.18 Administration.

The policies set forth in this part shall be carried out through the appropriate divisions and offices of ASCS.

Effective date. Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on June 18, 1965.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 65-6654; Filed, June 23, 1965;
8:49 a.m.]

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

PART 1427—COTTON

Subpart—Cotton Loan Program Regulations

In order to incorporate program changes, the regulations issued by Commodity Credit Corporation, published in 28 F.R. 5712, 28 F.R. 12794, 29 F.R. 11145, 29 F.R. 12422, 29 F.R. 12957, and 29 F.R. 14874 as the Cotton Loan Program Regulations, are hereby revised to read as follows:

Sec.	
1427.1351	General statement.
1427.1352	Definitions.
1427.1353	Administration.
1427.1354	Availability of loans.
1427.1355	Eligible producer.
1427.1356	Eligible cotton.
1427.1357	Forms and authorizations.
1427.1358	Approved storage.
1427.1359	Weight, loan rate, and amount.
1427.1360	Preparation of documents.
1427.1361	Disbursement of loans.
1427.1362	Service charges.
1427.1363	Clerk fees.
1427.1364	Liens.
1427.1365	Setoffs.
1427.1366	Classification of cotton.
1427.1367	Interest rate.
1427.1368	Maturity.
1427.1369	Warehouse receipts and insurance.
1427.1370	Loans on order bills of lading.
1427.1371	Loans on cotton to be reconcentrated.
1427.1372	Custodial offices.
1427.1373	Loss of or damage to pledged cotton.
1427.1374	Transfer of producer's interest in loan cotton.
1427.1375	Repayment of loan by producer.
1427.1376	Cotton cooperative marketing association loans.
1427.1377	Death, incompetency, or disappearance.
1427.1378	Special procedure where full loan value advanced.

AUTHORITY: The provisions of this subpart issued under secs. 4, 5, 62 Stat. 1070, as amended; secs. 101, 103, 401, 63 Stat. 1051, as amended; 15 U.S.C. 714 b and c; 7 U.S.C. 1441, 1444, 1421.

§ 1427.1351 General statement.

(a) The regulations in this subpart, including any amendments and the annual supplement hereto, set forth the requirements with respect to loans on cotton of the 1965 crop and each subsequent crop for which an annual supplement to these regulations is issued. Loans will be made available by CCC to eligible cotton producers on eligible upland cotton and eligible extra long staple cotton through county offices. For other than cotton cooperative marketing association loans, each producer shall obtain his loan(s) through a county office and is responsible for delivering the loan documents to the county office for disbursement. County committees may approve loan clerks at convenient locations to assist producers in preparing loan documents.

(b) Disbursement of Form A loan proceeds will be made by county offices.

§ 1427.1352 Definitions.

As used in the regulations of this subpart, and in all instructions, forms, and documents in connection therewith, the words and phrases listed in this section shall have the meaning assigned to them herein unless the context or subject matter otherwise requires.

(a) **General.** The following words or phrases: "person", "State Executive Director", "county office manager", and "farm", respectively, shall each have the same meaning as the definition of such term contained in the regulations pertaining to Reconstitution of Farms, Allotments, and Bases, Part 719 of this title and any amendment thereto.

(b) **CCC.** The term "CCC" shall mean Commodity Credit Corporation.

(c) **New Orleans Office.** The term "New Orleans Office" shall mean the New Orleans Agricultural Stabilization and Conservation Service Commodity Office, 120 Marais Street, New Orleans, La., 70112.

(d) **State committee.** The term "State committee" shall mean the Agricultural Stabilization and Conservation State Committee and shall include only the State committee and not its representative.

(e) **County committee.** The term "county committee" shall mean the Agricultural Stabilization and Conservation county committee and shall include only the county committee and not its representative.

(f) **County office.** The term "county office" shall mean the Agricultural Stabilization and Conservation Service county office.

(g) **Loan clerk.** The term "loan clerk" shall mean a person approved by CCC to assist producers in preparing loan documents other than in the county office.

(h) **Charges.** The term "charges" shall mean all fees, costs, and expenses paid by CCC incident to insuring or reinsuring, carrying, handling, storing, conditioning, and otherwise protecting the interest in the loan collateral or CCC and the producer.

(i) **Other definitions.** "False-packed", "water-packed", "mixed-packed", "reginned", and "repacked" cot-

ton shall have the same meanings as the definitions of such terms contained in the regulations in Chapter I, Part 28, Section 28.1—28.184 (Regulations of the Department of Agriculture under the U.S. Cotton Standards Act) of this title and any amendment thereto.

§ 1427.1353 Administration.

(a) The Farmer Programs Division, Agricultural Stabilization and Conservation Service, will administer the provisions of this subpart under the general supervision and direction of the Deputy Administrator, State and County Operations, Agricultural Stabilization and Conservation Service, in accordance with program provisions and policy determined by the CCC Board and the Executive Vice President, CCC. In the field, the program will be administered through State committees, county committees, and the New Orleans Office.

(b) Forms will be available at State and county offices and the New Orleans Office and from loan clerks.

(c) State and county committees and employees thereof, loan clerks, the New Orleans Office and employees thereof do not have authority to modify or waive any of the provisions of this subpart or any amendment or supplement thereto.

(d) No delegation herein to a State or county committee or to the New Orleans Office shall preclude the Executive Vice President, CCC, or his designee, from determining any question arising under the program or from reversing or modifying any determination made by a State or county committee or by the New Orleans Office.

§ 1427.1354 Availability of loans.

(a) **Warehouse-storage loans.** Loans on cotton represented by warehouse receipts will be available to eligible producers on:

(1) Eligible upland cotton produced in the continental United States and stored at approved warehouses.

(2) Eligible extra long staple cotton produced in an area designated in the following subparagraphs for the particular type of extra long staple cotton and stored at approved warehouses:

(i) American-Egyptian cotton produced in Cochise, Gila, Graham, Maricopa, Pima, Pinal, Santa Cruz, and Yuma Counties, Ariz.; Imperial and Riverside Counties, Calif.; Chaves, Dona Ana, Eddy, Hidalgo, Luna, Otero, and Sierra Counties, N. Mex.; and Brewster, Culberson, El Paso, Hudspeth, Loving, Pecos, Presidio, Reeves, and Ward Counties, Tex.

(ii) Sea Island and Sealand cotton produced in Berrien, Cook, and Lanier Counties, Ga.; and Alachua, Bradford, Columbia, Hamilton, Jefferson, Lake, Levy, Madison, Marion, Orange, Putnam, Seminole, Sumter, Suwannee, Union, and Volusia Counties, Fla., and Sea Island cotton produced in Puerto Rico.

(b) **Bill of lading loans.** Loans on cotton represented by bills of lading will be available as provided in § 1427.1370.

(c) **Period of availability of loans.** Loans on a crop of cotton will be available from the beginning of harvest of the crop through April 30 following the calendar year in which such crop is

grown. Notes for loans must be signed by the producer and delivered to the county office that is to disburse the loans within this period of loan availability. Loans on cotton represented by a bill of lading will be available in any area only during the period specified by the New Orleans office. Whenever the final date of availability falls on a nonworkday for county offices, the applicable final date of availability shall be extended to include the next workday.

§ 1427.1355 Eligible producer.

An eligible producer is any individual, partnership, corporation, association, trust, estate, or other legal entity, a State or political subdivision thereof, or an agency of such State or political subdivision producing eligible upland cotton or eligible extra long staple cotton in the capacity of landowner, landlord, tenant, or sharecropper. If eligible cotton is produced on a farm by a landlord and his share tenant or sharecropper, a loan may be obtained only as follows:

(a) If the cotton is divided among the producers entitled to share in such cotton, each landlord, tenant, or sharecropper may obtain a loan on his separate share.

(b) If the cotton is not divided, (1) all producers having a share in the cotton may obtain a joint loan on such cotton, or (2) the landlord may obtain a loan on cotton in which both he and one or more share tenants or sharecroppers have an interest if he has the legal right to do so. In such cases the share tenants or sharecroppers must be paid their pro rata share of the loan proceeds and their pro rata share of any additional proceeds received from the cotton. In no case shall a share tenant or sharecropper obtain a loan individually on cotton in which a landlord has an interest. Except as provided above, two or more producers may not obtain a joint loan on their cotton.

§ 1427.1356 Eligible cotton.

Upland cotton produced by eligible producers in the continental United States or extra long staple cotton produced by eligible producers in an area designated in § 1427.1354 for the particular type of extra long staple cotton is eligible cotton if it meets the following requirements:

(a) Such cotton must be tendered for loan within the availability period of § 1427.1354(c) and must be cotton of a crop for which loans are available, as provided in an annual supplement to these regulations.

(b) Such cotton must have been produced on a farm on which the acreage planted to such kind and crop of cotton does not exceed the acreage allotment for the farm for such kind and crop of cotton. For the purposes of this subpart, the acreage planted shall be the acreage planted as determined for purposes of cotton marketing quotas, and the acreage allotment for a farm for upland or extra long staple cotton for such crop shall be the acreage allotment determined for the farm for such kind and crop of cotton under Title III of the Agricultural Adjustment Act of 1938, as amended. The upland or extra long

staple cotton acreage on the farm for such crop will not be deemed to be in excess of the acreage allotment for such kind and crop of cotton for the farm unless the acreage allotment is knowingly exceeded. If the producer operating the farm is notified that such acreage allotment has been exceeded and is given a period of time for adjusting his acreage, and if the planted acreage is not adjusted to such acreage allotment within the period allowed under the notice, the acreage allotment for the farm shall be deemed to have been knowingly exceeded by the producers having an interest in the cotton.

(c) If such cotton is upland cotton and was produced on a farm for which an agreement to participate in the Cotton Domestic Allotment Program was filed for such crop of cotton, the final planted acreage of upland cotton on the farm for such crop must not exceed the farm domestic allotment for upland cotton for the farm for such crop, as determined by CCC in accordance with the applicable Cotton Domestic Allotment Program regulations.

(d) Such cotton must be of a grade and staple length specified in (1) the schedule of premiums and discounts, or (2) the schedule of loan rates for extra long staple cotton, contained in the applicable annual supplement to these regulations and must be represented by a warehouse receipt meeting the requirements of § 1427.1369 or by a bill of lading meeting the requirements of § 1427.1370.

(e) Such cotton must not be false-packed, water-packed, mixed-packed, reginned, or repacked; upland cotton must not have been reduced more than two grades because of preparation; extra long staple cotton must have been ginned on a roller gin and must not have been designated as "wasty" or reduced in grade for any reason.

(f) Such cotton must be in existence and in good condition.

(g) Such cotton must not be compressed to high density.

(h) The producer or association tendering the cotton for a loan must have the legal right to pledge it as security for a loan.

(i) If such cotton was produced on land owned by the Federal Government, it must not have been produced in violation of the provisions of the lease. If such cotton was produced on any other land owned by the Federal Government which is being occupied without lease or permit, such cotton shall not be eligible cotton.

(j) The producer or association tendering such cotton must not have previously sold and repurchased such cotton or placed it under CCC loan and redeemed it.

(k) Each bale of cotton must weigh not less than 350 nor more than 625 pounds, gross weight, including any bagging allowance authorized under § 1427.1359(a).

(l) Cotton compressed to a standard density, whether compressed by a warehouseman or at a gin, must have not less than eight bands.

(m) Each bale must be adequately packaged in new material manufactured for cotton bale covering, except that used jute and sugar sack bagging will be acceptable if such bagging is clean and in sound condition. Bagging manufactured from sisal and other hard fibers will not be acceptable. The bagging must adequately protect the cotton. Heads of bales must be completely covered.

(n) Each bale must bear the gin bale number.

(o) To be eligible for price support, the beneficial interest in the cotton must (except as provided in § 1427.1355) be in the producer tendering the cotton for loan (or in the producer-member delivering the cotton to the cooperative marketing association which tenders the cotton for a loan) and must have always been in him or in him and a former producer whom he succeeded before it was harvested. To meet the requirements of succession to a former producer, the right, responsibilities, and interest of the former producer with respect to the farming units on which the cotton was produced shall have been substantially assumed by the person claiming succession. Mere purchase of the crop prior to harvest without acquisition of any additional interest in the farming unit shall not constitute succession. The county committee shall determine whether the requirements with respect to succession have been met.

§ 1427.1357 Forms and authorizations.

The following documents must be delivered by producers in connection with every loan except loans made pursuant to § 1427.1378:

(a) Cotton Classification Memorandum, Form 1 or Form A3 for each bale showing the classification (including micronaire reading for upland cotton, if required by the annual supplement hereto) assigned by a board of cotton examiners of the United States Department of Agriculture.

(b) Lien Waiver, Form CCC-679 (referred to in this subpart as "Form 679"), if used in lieu of execution of Lienholder's Waiver on Form A in accordance with the provisions of § 1427.1364.

(c) Additional documents for warehouse-stored cotton:

(1) Cotton Producer's Note, Form CCC Cotton A (referred to in this subpart as "Form A").

(2) Warehouse receipts complying with the provisions of § 1427.1369.

(d) Additional documents for bill of lading cotton:

(1) Form A executed within an area as provided in § 1427.1370 and during the period such loans are available.

(2) Order bill of lading in form acceptable to CCC and representing the cotton tendered as security for the loan.

(3) If the receiving agency is not a warehouseman, Weight and Condition Certificates complying with the provisions of § 1427.1370.

(4) Receiving Agency Certificate in form prescribed by CCC.

(e) Loan documents executed by an administrator, executor, or trustee: Loan documents executed by an administrator, executor, or trustee will be acceptable

only where valid in law. State documentary revenue stamps shall be affixed to loan documents where required by law.

(f) *Powers of Attorney.* A producer who desires to appoint an attorney-in-fact to act in his place and stead in obtaining loans shall use Power of Attorney, Form ASCS-211 (referred to in this subpart as "Form 211"), except that a power of attorney on another form will be accepted if it is determined by CCC to be legally sufficient and if the producer is unable to execute Form 211. The original or facsimile of the power of attorney or a copy certified by a notary public as a true and correct copy must be filed with the county office disbursing the loan proceeds and with the county office maintaining custody of the loan documents, if not the same.

§ 1427.1358 Approved storage.

Except as provided otherwise in § 1427.1370, cotton will be accepted as security for loans only if stored at warehouses approved by CCC. When the warehouseman receives notice from CCC that a loan has been made by CCC on a bale of cotton, he shall, if such cotton is not stored within his warehouse, promptly place such cotton within the warehouse. Warehousemen desiring approval of their facilities should communicate with the New Orleans office. The names of approved warehouses may be obtained from the New Orleans office or from State or county offices. Storage charges paid by a producer on cotton which is later pledged to CCC as security for a loan will not be refunded by CCC. If cotton is redeemed from the loan, the person removing the cotton from storage shall pay all unpaid charges at the warehouseman's established tariff rate.

§ 1427.1359 Weight, loan rate, and amount.

(a) *Weight.* Loans will be made on the gross weight of upland cotton and on the net weight of extra long staple cotton. The gross weight of the bale shall be the gross weight shown on the warehouse receipt if the loan is made on cotton represented by warehouse receipts or on the Weight and Condition Certificate (see § 1427.1370(c)) if the loan is made on cotton represented by order bills of lading. Notes for loans on cotton pledged on reweights will not be accepted if CCC determines that such reweights reflect an increase in weight due to the absorption of moisture. In making loans on upland cotton covered with bagging made of cotton material manufactured specifically for covering cotton bales, an allowance of not to exceed seven pounds per bale will be added to the gross weight of the bale: *Provided*, That the allowance to be added to the gross weight of the bale shall not exceed an amount which will reflect a normal tare weight of 21 pounds for bagging and ties for the bale. In order to encourage improved wrapping methods and compensate for resulting reduced tare weight in making loans on upland cotton wrapped with material under the Cotton Experimental Bale Packaging Program sponsored by the National Cotton Council, Memphis, Tenn., there will be added to the gross

weight of the bale an allowance equal to the number of pounds shown on the program bale tag to be necessary to adjust to normal tare weight of 21 pounds. The bale tag must identify the bale with the program and must also show the actual tare weight of the bale. No allowances other than those provided for in this section will be made.

(b) *Loan rate.* (1) The base loan rate for Middling 1-inch upland cotton (except for the special condition upland cotton provided for in this section) of each crop at each approved warehouse will be stated in the schedule of base loan rates for upland cotton by warehouse locations contained in the supplement to these regulations for such crop. This schedule will be available at county offices.

(2) The premium or discount applicable to each other eligible grade and staple length of upland cotton of each crop and the premium or discount, if any, for each micronaire reading will also be contained in the supplement to the regulations of this subpart for such crop.

(3) The loan rate for upland cotton for which the classification memorandum shows a reduction in grade because of the presence of extraneous matter (such as grass, bark, oil, sand, motes, etc.) or because of spindle twist shall be one-half cent a pound less than the loan rate for the quality (grade and staple length) to which the cotton is reduced.

(4) The loan rate for upland cotton which is "wasty" shall be 3 cents a pound less than the loan rate for the quality (grade and staple length) shown on the classification memorandum for the cotton. Cotton is wasty if so designated on the official classification memorandum or if the classification memorandum shows a micronaire reading of 2.6 or less.

(5) The loan rate for upland cotton for which the classification card shows a reduction in grade because of the presence of extraneous matter or spindle twist and which is also "wasty" shall be 3½ cents a pound less than the loan rate for the quality (grade and staple length) shown on the classification memorandum for the cotton.

(6) Loan rates for extra long staple cotton of each crop will be contained in the supplement to these regulations for such crop.

(c) *Amount.* The amount due the producer will be determined by multiplying the weight, as determined under paragraph (a) of this section by the applicable loan rate, as determined under paragraph (b) of this section less any unpaid warehouse receiving charge, if applicable, as provided in § 1427.1369. After a loan is made, CCC will not increase the amount of the loan due to any subsequent redetermination of the weight or quality of the cotton.

§ 1427.1360 Preparation of documents.

(a) *Preparation of loan forms.* The producer may obtain assistance in preparing and executing loan forms from his county office or from a loan clerk. All applicable blanks on the loan forms shall be filled in with typewriter or ballpoint pen. Documents containing additions, alterations, or erasures, may be

rejected by CCC. All copies shall be clearly legible, and the copies shall contain all information contained on the original, including all signatures.

(b) *Marketing cards.* The producer must present his marketing card to the loan clerk or county office.

(1) When the marketing card is either a Form MQ-76—Upland or a Form MQ-76—ELS, the producer is eligible to obtain a loan on cotton produced on the farm of the kind for which the card was issued, subject to the other provisions of this subpart.

(2) When the marketing card is either a Form MQ-77—Upland or a Form MQ-77—ELS and the box following the words "Not eligible unless loan documents prepared in county office" contains an "X", or when a marketing certificate is presented in lieu of a marketing card, in order for the producer to obtain a loan on his cotton, the loan documents must be prepared by and the loan disbursed by the county office in which the farm marketing quota records are maintained.

(3) When the marketing card is either a Form MQ-77—Upland or a Form MQ-77—ELS and the box following the words "Not eligible for price support" contains an "X", the cotton produced on the farm of the kind for which such card is issued is not eligible for a loan.

(c) *Schedule of pledged cotton.* All cotton pledged as security for a loan must be stored in the same warehouse but may be of different grades and staple lengths. Not more than 500 bales of upland cotton or 200 bales of extra long staple cotton may be pledged as security for a loan on one Form A.

(d) *Producer's request for payment.* The spaces provided on Form A for the producer to request payment of the proceeds must be completed.

(e) *Execution of loan forms.* Loan forms shall not be signed in blank under any circumstances. A Form A must be signed by the producer in the presence of the loan clerk or county office employee who witnesses the producer's signature, except that loan documents for nonresident producers may be prepared in the county office and mailed to the producer for signature. All applicable entries must be completed on the Form A prior to the time the form is signed by either the producer or by the witness. The loan clerk or county office employee shall not sign as witness on his own or his spouse's Form A. A loan clerk or county office employee who, under power of attorney, executes the Form A on behalf of the producer shall not sign as witness on the Form A.

§ 1427.1361 Disbursement of loans.

Disbursement of each loan will be made by any county office located in the cotton producing area by means of loan drafts drawn on CCC by the county office. If a producer tenders the loan documents for disbursement to a county office more convenient to him than the county office which keeps the farm program records for the farm on which the cotton was produced, the loan clerk who prepared the loan documents, or his employer if applicable, must have entered into a

Form CCC-810-1, Supplement to Cotton Loan Program Clerk's Agreement, with the county committee having jurisdiction over the county office to which the loan documents are tendered for disbursement. The producer or his agent shall not present the Form A for disbursement unless the cotton covered by the Form A is in existence and in good condition. If the cotton is not in existence and in good condition at the time of disbursement, the producer shall immediately return the loan draft issued in payment of the loan, or if the loan draft has been negotiated, shall promptly refund the proceeds.

§ 1427.1362 Service charges.

No service charge will be collected by CCC or by loan clerks except authorized clerk fees as provided in § 1427.1363.

§ 1427.1363 Clerk fees.

Loan clerks may, and county offices shall, collect fees from producers for preparing loan documents not to exceed the fees shown in the following schedule:

Number of bales on note:	Maximum fee allowed
1.....	25 cents.
2-6.....	25 cents plus 15 cents for each bale over 1.
7 and over.	\$1 plus 10 cents for each bale over 6.

§ 1427.1364 Liens.

Cotton tendered for loan must be free and clear of all liens except the warehouseman's lien for those charges which are authorized in the storage agreement with CCC. The signatures of the holders of all such existing liens on cotton tendered as security for a loan, such as landlords, laborers, or mortgagees, must be obtained on the Lienholder's Waiver on each Form A, except that in lieu of signing the Lienholder's Waiver on each Form A, the lienholder may waive his lien on all cotton of that crop produced on a farm by use of Form 679. A fraudulent representation as to prior liens or otherwise will render the producer personally liable and subject him, and any other person who causes the fraudulent representation to be made, to criminal prosecution under the provisions of the Commodity Credit Corporation Charter Act. A joint disbursement of loan proceeds to the producer and the lienholder does not satisfy the requirement that lienholders must execute the Lienholder's Waiver.

§ 1427.1365 Setoffs.

(a) If any installment(s) on any loan made available by CCC on farm-storage facilities or mobile drying equipment is payable under the provisions of the note evidencing such loan out of any amount due the producer under the program provided for in this subpart, the producer must designate CCC as payee of such amount to the extent of such installment(s), but not to exceed that portion of the amount remaining after deduction of clerk fees and amounts due prior lienholders.

(b) If the producer is indebted to CCC, or if the producer is indebted to any other agency of the United States, and such indebtedness is listed on the county

debt record, amounts due the producer under the program provided for in this subpart, after deduction of amounts payable under paragraph (a) of this section, shall be applied to such indebtedness, as provided in the Secretary's Setoffs and Withholdings Regulations, Part 13 of this title and any amendments thereto.

(c) In any case referred to in paragraphs (a) and (b) of this section, the producer's marketing card will indicate that he must go to the county office in the county in which the farm records are maintained and have his loan documents prepared and disbursed. Any amount which is to be set off must be entered in the space provided in the Cotton Producer's Note by the county office.

(d) Compliance with the provisions of this section shall not deprive the producer of any right he otherwise has to contest the justness of the indebtedness involved in the setoff action, either by administrative appeal or by legal action.

§ 1427.1366 Classification and micro- naire readings of cotton.

(a) References made to "classification" in this subpart shall include micro-
naire readings, if applicable, for upland cotton. All cotton tendered for loan must be classed by a USDA Board of Cotton Examiners (referred to in this subpart as "the board") and tendered on the basis of such classification. A Cotton Classification Memorandum Form 1 must be based upon a representative sample drawn in accordance with instructions to samplers drawing samples for organized improvement groups under the Smith-Doxey Program. If the producer's cotton has not been sampled for a Form 1 classification, the warehouseman shall sample such cotton and forward the samples to the board serving the district in which the cotton is located. Such warehouseman must be licensed by the Consumer and Marketing Service, U.S. Department of Agriculture, to draw samples for submission to the board. A Cotton Classification Memorandum Form A3 must be inserted in each such sample. A Tag List and Record Sheet, Form CCC-812 (referred to in this subpart as "Form 812"), must be prepared by the warehouseman, listing each sample included in a shipment to the board. A copy of such Form 812 shall be included with the samples, and the original and two copies must be mailed separately to the board. The board will enter the classification of each bale on the Form 812 and return a copy of such form to the warehouseman. The Cotton Classification Memorandum Form A3 will be returned to the producer by the board. If a sample has been submitted for a Form 1 or Form A3 classification, another sample shall not be drawn and forwarded to a board except for a review classification. Where review classification is not involved, if through error or otherwise two or more samples from the same bale are submitted for classification, the loan rate shall be based on the classification having the lower loan value. If a Form 1 or Form A3 review classification is obtained, the loan value of the cotton represented thereby will be based on such review classification.

(b) A classification charge of 35 cents per bale shall be collected from the producer by the warehouseman for all cotton for which samples are submitted to a board for a Form A3 classification or for a Form A3 review classification. The boards will bill warehouseman at the end of each month for such charges. Payment of these bills shall be made by check or money order payable to "Commodity Credit Corporation" and mailed to the New Orleans Office.

§ 1427.1367 Interest rate.

Each loan (and charges, if applicable) shall bear interest from the date (s) of disbursement at the rate(s) announced in a separate notice published in the FEDERAL REGISTER.

§ 1427.1368 Maturity.

(a) Loans mature on July 31 following the calendar year in which the loan cotton was grown or upon such earlier date as CCC may make demand for payment. Whenever the maturity date falls on a nonworkday for county offices, the applicable date of maturity shall be extended to include the next workday.

(b) Upon the maturity and nonpayment of the note, CCC is authorized without notice to the producer to sell, transfer, and deliver the cotton, or documents evidencing title thereto, at such time, in such manner, and upon such terms and conditions as CCC may determine, at any cotton exchange, or elsewhere, or through any agency, at public or private sale, for immediate or future delivery, and without demand, advertisement, or notice of the time and place of sale or adjournment thereof or otherwise; and, upon such sale, CCC may become the purchaser of the whole or any part of such cotton. Any overplus remaining from the proceeds received therefrom, after deducting from such proceeds the amount of the loan, charges, and interest, shall be paid to the producer or to his personal representative without right of assignment to or substitution of any other person.

(c) On or after maturity and nonpayment of the note, title to the cotton shall, at CCC's election, without a sale thereof, vest in CCC, and CCC shall have no obligation to pay for any market value which such cotton may have in excess of the amount of the loan and charges plus interest.

(d) To avoid administrative costs of making small payments and handling small accounts, amounts of \$3 or less will be paid to the producer only upon his request. Deficiencies of \$3 or less, including interest, may be disregarded unless demand for payment is made by CCC.

§ 1427.1369 Warehouse receipts and insurance.

Only negotiable machine card-type warehouse receipts, acceptable to CCC and issued by approved warehouses, which provide for delivery of the cotton to bearer or are properly assigned by endorsement in blank so as to vest title in the holder of the receipt, will be acceptable. The warehouse receipt must contain the gin bale number, must show that the cotton is covered by fire insur-

ance, and must be dated on or prior to the date the producer signs the note. Open yard endorsement, if any, on the warehouse receipt must have been rescinded with the legend "Open yard disclaimer deleted" with appropriate warehouseman's signature. Each receipt must set out in its written or printed terms a description by tag number and gross weight of the bale represented thereby, including bagging weight allowance as specified in § 1427.1359(a), if any, and all other facts and statements required to be stated in the written or printed terms of a warehouse receipt under the provisions of section 2 of the Uniform Warehouse Receipts Act. Warehouse receipts reflecting an alteration in the weight of the bale will not be accepted by CCC unless they bear, on the face of the receipt, the following legend, or similar wording approved by CCC, duly executed by an authorized warehouse representative:

Corrected weight -----
 (Name of warehouse) -----
 By -----
 Date -----

Block warehouse receipts will not be accepted except on cotton to be reconcentrated pursuant to § 1427.1371. If the warehouse receipt does not show that warehouse receiving charges have been paid, the amount of the loan will be reduced by the amount specified in the warehouseman's tariff for receiving charges. In such cases, the receiving charges will be paid to the warehouseman by CCC after loan maturity if the cotton is not redeemed from the loan, or at time of shipment, if the cotton is ordered shipped by CCC while in loan status.

§ 1427.1370 Loans on order bills of lading.

(a) Loans on cotton represented by order bills of lading will be available only in areas and during the periods specified by the New Orleans office where there is a shortage of storage space and where the necessary arrangements for handling the cotton have been made.

(b) Cotton represented by order bills of lading will be eligible for a loan only when it is shipped by an approved receiving agency as agent for the producer. Warehousemen, ginners, and other responsible parties in areas where such loans are available, may be approved by CCC to act as receiving agencies. A receiving agency shall enter into a receiving agency agreement with CCC. When receiving agencies are approved, notifications will be given by letter or by published lists.

(c) A producer in any such area who is unable to find storage space in his local area and who wishes to obtain such a loan should deliver his cotton to a receiving agency with the request that it ship the cotton as agent for the producer, in accordance with shipping instructions furnished by CCC, to an approved warehouse where storage space is available. The receiving agency shall complete the Schedule of Pledged Cotton on Form A. If the receiving agency is not a warehouseman, it shall have the cotton

weighed by a public or licensed weigher and obtain a Weight and Condition Certificate in the form prescribed by CCC. The receiving agency shall also execute the Receiving Agency's Certificate. The receiving agency shall ship the cotton, secure order bills of lading in a form acceptable to CCC, and deliver to the producer the bills of lading, together with Form A, classification memorandums, and Weight and Condition Certificate (if any). If the receiving agency is a warehouseman, it may collect fees for warehouse charges as permitted for the crop year, and a fee of not to exceed 10 cents per bale to cover the costs of preparation of shipping documents. If the receiving agency is not a warehouseman, it shall, for the purpose of payment of gin compression only, be considered as a warehouseman and shall be permitted to collect from CCC charges for gin compression, as provided in the storage agreement for the crop year between CCC and approved warehouses, and shall be permitted to collect from producers a fee not in excess of the fee set forth in the Receiving Agency Agreement executed by the receiving agency, and shall post in a conspicuous place a notice showing the fee to be charged producers. Loans shall be made at the full loan rate at the point where the receiving agency receives the cotton. CCC shall pay warehouse storage charges on cotton tendered by the producer for a loan under this section if the receiving agency is a warehouseman.

§ 1427.1371 Loans on cotton to be reconcentrated.

Loans on cotton to be reconcentrated shall be available only on cotton stored at warehouses approved by the New Orleans office in areas where there is a shortage of storage space. The warehouseman shall enter into a reconcentration agreement with CCC. Warehouse receipts covering cotton to be reconcentrated under a reconcentration agreement must be in a form acceptable to CCC and must provide for delivery of the cotton to the order of CCC. Block warehouse receipts covering cotton to be reconcentrated under a reconcentration agreement will be accepted. A producer who desires to obtain a loan in this manner should request the warehouseman to issue a warehouse receipt to him in the form specified above and must furnish written authorization to the warehouseman for the reconcentration of the cotton after which the warehouseman will ship the cotton. The Forms A and warehouse receipts covering cotton to be reconcentrated under a reconcentration agreement must show the reconcentration order number under which the cotton will be shipped. The producer shall obtain a loan by use of these documents in the usual manner, and after receipt of the loan documents, CCC will surrender the warehouse receipts to the warehouseman.

§ 1427.1372 Custodial offices.

Forms A, collateral warehouse receipts, cotton classification memorandums, and related documents will be maintained in custody of the county office which keeps the farm records for the farm on which the cotton was produced until they are

repaid or until maturity date of the loan, whichever is earlier.

§ 1427.1373 Loss of or damage to pledged cotton.

In any case where loss of or damage to cotton occurs while such cotton is pledged to CCC, CCC shall have the right to determine and file claims against any liable parties for the resulting loss. Upon determination of the identity of the bales of loan cotton lost or damaged, CCC will give credit on the producer's note for the loan value (including charges and interest) of such cotton. If the proceeds of the claim exceed the loan value of such cotton, the excess proceeds shall be remitted to the producer or to the party repaying the loan if the loan has been repaid.

§ 1427.1374 Transfer of producer's interest in loan cotton.

If a producer desires to sell his equity in upland or extra long staple cotton pledged as security for a loan, he must use a Form CCC Cotton 813, Release of Warehouse Receipts (referred to in this subpart as "Form 813"), for this purpose. Blank copies of this form may be obtained from county offices. Information required to complete Form 813 is contained on the "Producer's Copy" of the Form A. If the "Producer's Copy" of the Form A has been lost or destroyed, he may obtain a duplicate from the county office maintaining custody of the loan documents. The equity purchaser must have executed the "Certificate of Purchaser" on each Form 813 which is submitted. If the equity purchaser does not transfer to another his interest in the cotton, he must also execute the "Redemption Request" on Form 813 and deliver the form to the county office maintaining custody of the loan documents within 7 business days after the date the producer executes the "Producer's Equity Transfer Agreement" on the form or the equity transfer will be void. If the equity purchaser transfers to another his interest in the cotton covered by the Form 813, the transferee must execute the "Transferee's Redemption Request" on the form and deliver the form to the county office maintaining custody of the loan documents within 7 business days after the date the producer executes the "Producer's Equity Transfer Agreement" on the form or the equity transfer will be void. The warehouse receipts (and the classification memorandum, if requested) covering the bales of cotton being redeemed from the loan will be delivered to the equity purchaser or his transferee upon payment of the loan, charges and interest within 5 business days after the Form 813 is delivered to the county office, or, if the equity purchaser or transferee requests the warehouse receipts (and classification memorandums, if applicable) be forwarded to a bank for payment, upon payment of the loan, charges, and interest within 5 business days after the receipts are received by such bank. County offices and banks may accept valid cotton payment-in-kind certificates in payment of all or part of the amount due on the upland cotton being redeemed. Repayments will not be ac-

cepted after CCC acquires the cotton. All charges assessed by the bank to which the warehouse receipts are sent must be paid by the person redeeming the cotton. If payment is not effected within the applicable 5-business-day period and prior to the time at which the loan matures and CCC acquires the cotton, whichever is earlier, the equity transfer will be void. A producer who desires to appoint an attorney-in-fact to act in his place and stand in selling his equity in loan cotton shall use Form 211 except that a power of attorney on another form will be accepted if it is determined by CCC to be legally sufficient and if the producer is unable to execute Form 211. The original or facsimile of the power of attorney or a copy certified by a notary public as a true and correct copy must be filed with the county office which has custody of the loan documents. If the attorney-in-fact desires to act under the power of attorney, he must execute and file with the county office which has custody of the loan documents an Agreement of Attorney-in-Fact, Form CCC-815 (referred to in this subpart as "Form 815") covering such crop. A Form 815 executed by an attorney-in-fact shall be void and will not be recognized by CCC if the attorney-in-fact does not file the required Form 815.

§ 1427.1375 Repayment of loan by producer.

(a) If a producer desires to redeem one or more bales of cotton pledged to CCC as security for a loan, he may receive the warehouse receipts and the classification memorandum applicable to such cotton upon payment of the loan, charges, and interest applicable to the bales of cotton being redeemed at the county office which has custody of the loan documents. He may also request the warehouse receipts (and classification memorandums) be forwarded to a bank for payment, in which case the amount of the loan, charges, and interest must be paid to the bank within 5 business days after the receipts are received by the bank. Repayments will not be accepted after CCC acquires the cotton. All charges assessed by the bank to which the receipts are sent must be paid by the producer. If the "Producer's Copy" of Form A has been lost or destroyed, he may obtain a duplicate from the county office which has custody of the loan documents.

(b) A producer who desires to appoint an attorney-in-fact to act in his place and stand to redeem his loan cotton shall use Form 211, except that a power of attorney on another form will be accepted if it is determined by CCC to be legally sufficient and if the producer is unable to execute Form 211. The original or facsimile of the power of attorney or a copy certified by a notary public as a true and correct copy must be filed with the county office which has custody of the loan documents. The attorney-in-fact must execute and file with the county office which has custody of the loan documents a Form 815 as provided in § 1427.1374, and the attorney-in-fact will not be allowed to redeem cotton pursuant to the power of attorney if he

does not file the required Form 815. The attorney-in-fact shall not make any purchases of cotton covered by the power of attorney for his own account or as agent for others, and he shall make an accounting to the producer for the sales proceeds in each case in which the attorney-in-fact redeems any of the producer's loan cotton and sells it. If the attorney-in-fact holds powers of attorney from more than one producer, he may not pool their loan cotton which he redeems or the proceeds therefrom nor make settlement with such producers on a pool basis upon sale of the cotton.

§ 1427.1376 Cotton cooperative marketing association loans.

A cotton cooperative marketing association which meets the eligibility requirements established by CCC in Part 1425 of this title and any amendment thereto, may enter into a Cotton Cooperative Loan Agreement with CCC which provides for price support through the association to its producer-members. Copies of the form of agreement will be furnished to the association by CCC. The loan rates under this agreement will be the same as for loans made to individual producers on Forms A and eligibility requirements for cotton and producers tendering cotton to the association and other loan provisions will be similar to those for Form A loans made to individual producers. Valid cotton payment-in-kind certificates may be used in payment of the amount due on upland cotton being redeemed.

§ 1427.1377 Death, incompetency, or disappearance.

In the case of death, incompetency, or disappearance of any producer who is entitled to the payment of any proceeds in settlement of a loan, payment shall, upon proper application to the county office which disbursed the loan, be made to the person or persons who would be entitled to such producer's payment as provided in the regulations entitled Payment Due Persons Who Have Died, Disappeared, or Have Been Declared Incompetent, Part 707 of this title and any amendment thereto.

§ 1427.1378 Special procedure where full loan value advanced.

(a) *Purpose.* This special procedure is provided to assist persons or firms which in the course of their regular business of handling cotton for producers have made advances to eligible producers on eligible cotton to be placed under price support loans and desire to obtain credit at a financial institution for the amounts advanced.

(b) *Eligible Documents.* This special procedure shall apply only to loan documents covering cotton on which a person or firm has advanced to the producers (including payments to prior lienholders and other creditors) the full loan value of the cotton as shown on the Forms A, except for authorized loan clerk fees, and is entitled to reimbursement from the proceeds of the loans for the amounts advanced, and has been authorized by the producers to deliver the loan documents to the county office for disbursement.

(c) *Preparation of Notes.* The Forms A shall be prepared by an approved loan clerk who is the person who made the loan advances or is an employee of the person or firm which made the loan advances and shall show the entire proceeds of the loans for disbursement to the financial institution which is to allow credit to the person or firm which made the loan advances or to such financial institution and such person or firm as joint payees.

(d) *Delivery of Notes to County Office.* The Forms A and related documents as required by § 1427.1357 shall be mailed or delivered to the county office which keeps the farm records for the farms on which the cotton was produced. The documents shall be accompanied by a transmittal schedule in triplicate showing:

(1) The name and address of the county office.

(2) The name and address of the person or firm which made the loan advances.

(3) The name and address of the financial institution.

(4) The producer's name, number of bales and loan amount for each note.

(5) The total number of bales and total amount of notes.

(6) A certification signed by the person or firm which made the loan advances as follows: I (we) certify with respect to the loan documents covered by this schedule that I (we) have made loan advances to the producers for the full loan value of the cotton as shown on the Form A notes.

(7) A certification by the financial institution as follows: We certify that we have allowed credit to the account of the person or firm identified above for the total amount of this schedule subject to adjustment for the amount of any notes not acceptable for disbursement.

Upon receipt of the loan documents and transmittal schedule, the county office will stamp one copy of the transmittal schedule to indicate receipt of the documents and return the copy to the financial institution.

(e) *Disbursement of loans.* The county office will review the loan documents prior to disbursement and will return to the financial institution any documents determined to be not acceptable because of errors or ineligibility. The county office will disburse the loans for which loan documents are acceptable. Loan drafts will be issued to the payee indicated on the Form A and will be mailed to the address shown for such payee on the notes with a copy of the transmittal schedule. The loan drafts will be dated as of the dates loan documents acceptable to CCC were delivered to the county office or, if received by mail, the date of mailing as indicated by postmark.

(f) *Investment of Funds by the Financial Institution.* If the financial institution is eligible to participate under the regulations covering Participation of Financial Institutions in Cotton Loan Pools, the financial institution shall, for the purpose of such regulations, be deemed to have invested funds in the loan drafts as of the dates thereof and

may earn interest from such dates by entering such dates as the dates of investment in converting the loan drafts to certificates and otherwise complying with the regulations covering Participation of Financial Institutions in Cotton Loan Pools. The financial institution must secure the endorsement of any joint payee on such loan drafts.

Effective date. This subpart shall become effective upon filing with the FEDERAL REGISTER for publication.

Signed at Washington, D.C., on June 18, 1965.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 65-6653; Filed, June 21, 1965;
4:59 p.m.]

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

PART 214—NONIMMIGRANT CLASSES

Special Requirements for Admission, Extension, and Maintenance of Status

The following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

1. Subdivision (1) of subparagraph (2) *Supporting evidence of paragraph (h) Temporary employees of § 214.2 Special requirements for admission, extension, and maintenance of status* is amended to read as follows:

(1) *Petition for alien of distinguished merit and ability.* A petitioner seeking to accord an alien a classification under section 101(a) (15) (H) (1) of the Act shall annex to the petition documentation, certifications, affidavits, degrees, diplomas, writings, reviews, and any other evidence attesting to the fact that the beneficiary is a person of distinguished merit and ability and that the services the beneficiary is to perform require a person of such merit and ability. School records, diplomas, and similar documentation submitted must reflect periods of attendance, courses of study, and similar pertinent data. Affidavits submitted by present or former employers or recognized experts certifying to the expertise of the beneficiary shall be in sufficient detail to be self-explanatory concerning the beneficiary's experience and ability, and must set forth the manner in which the affiant acquired such information. Copies of any contracts between the petitioner and beneficiary shall also be annexed to the petition. In adjudicating the petition, the district director shall consider all the evidence submitted, and such other evidence as he may independently require or procure to assist his adjudication. If an adverse decision is proposed, the petitioner shall be notified and invited to

inspect and rebut any evidence considered which was not submitted by him. The decision of the district director shall set forth the pertinent facts adduced from the evidence considered and give the specific reasons for the decision in the light of the facts and the relating provisions of section 101(a) (15) (H) (1). Managers, trainers, musical accompanists, and other persons determined by the district director to be necessary for successful performance by the beneficiary of a petition approved for classification under section 101(a) (15) (H) (1) may also be accorded such classification if included in the same or a separate petition.

2. Subparagraph (4) *Special classes of paragraph (h) Temporary employees of § 214.2 Special requirements for admission, extension, and maintenance of status* is amended by deleting the penultimate sentence thereof.

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

This order shall be effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the rules prescribed by the order relate to agency procedure.

Dated: June 18, 1965.

RAYMOND F. FARRELL,
Commissioner of
Immigration and Naturalization.

[F.R. Doc. 65-6645; Filed, June 23, 1965;
8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Airspace Docket No. 65-CE-25]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone, Designation of Transition Area and Revocation of Control Area Extension

On March 16, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 3455) stating that the Federal Aviation Agency proposed to alter the controlled airspace in the vicinity of Huron, S. Dak.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. The only comment received was from the Air Transport Association, wherein they endorsed the proposed actions.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0001 e.s.t., August 19, 1965, as hereinafter set forth.

(1) In § 71.165 (29 F.R. 17557) the Huron, S. Dak., control area extension is revoked in its entirety.

(2) In § 71.171 (29 F.R. 17581) the Huron, S. Dak., control zone is amended to read:

HURON, S. DAK.

Within a 5-mile radius of Howes Airport, Huron, S. Dak. (latitude 44°23'03" N., longitude 98°13'39" W.); and within 2 miles each side of the Huron VOR 134° radial, extending from the 5-mile radius zone to the VOR.

(3) In § 71.181 (29 F.R. 17643) the following transition area is added:

HURON, S. DAK.

That airspace extending upward from 700 feet above the surface within 7 miles NE and 8 miles SW of the Huron ILS localizer NW and SE courses extending from 6 miles SE to 14 miles NW of the outer marker.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on June 14, 1965.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 65-6613; Filed, June 23, 1965;
8:45 a.m.]

[Airspace Docket No. 65-CE-26]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Areas, Alteration of Control Zone and Revocation of Control Area Extension

On March 31, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 4207) stating that the Federal Aviation Agency proposed to alter the controlled airspace in the Des Moines, Iowa, and Newton, Iowa, terminal areas.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. The only comments received were from the Air Transport Association, expressing their concurrence in the proposed actions.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0001 e.s.t., August 19, 1965, as hereinafter set forth.

(1) In § 71.165 (29 F.R. 17557) the Des Moines, Iowa, control area extension is revoked in its entirety.

(2) In § 71.171 (29 F.R. 17581) the Des Moines, Iowa, control zone is amended to read:

DES MOINES, IOWA

Within a 5-mile radius of the Des Moines Municipal Airport (latitude 41°32'10" N., longitude 93°39'28" W.); and within 2 miles each side of the Des Moines VORTAC 356° radial, extending from the 5-mile radius zone to the VORTAC; and within 2 miles each side of the Des Moines ILS localizer SE and NW courses extending from the 5-mile radius zone SE to the LOM and NW to 6 miles NW of the NW end of the Des Moines Municipal Airport Runway 12.

(3) In § 71.181 (29 F.R. 17643) the following transition areas are added:

DES MOINES, IOWA

That airspace extending upward from 700 feet above the surface within an 18-mile

radius of Des Moines Municipal Airport (latitude 41°32'10" N., longitude 93°39'28" W.); and that airspace extending upward from 1,200 feet above the surface beginning NE of Des Moines at latitude 42°00'00" N., longitude 92°53'00" W., thence W along latitude 42°00'00" N. to and S along longitude 94°-00'00" W., to and W along the S edge of V-172, to and S along longitude 94°42'00" W., to and E along the N edge of V-6, to longitude 94°25'00" W., thence SE to latitude 40°55'30" N., longitude 93°54'00" W., thence E to latitude 41°10'00" N., longitude 92°-53'00" W., thence N to the point of beginning.

NEWTON, IOWA

That airspace extending upward from 700 feet above the surface within a 4-mile radius of the Newton Municipal Airport (latitude 41°40'40" N., longitude 93°01'25" W.); and within 2 miles each side of the Newton VOR 149° radial extending from the 4-mile radius area to the VOR.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on June 14, 1965.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 65-6614; Filed, June 23, 1965; 8:45 a.m.]

[Airspace Docket No. 65-CE-30]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Control Zone and Transition Area

On April 8, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 4553) stating that the Federal Aviation Agency proposed to designate controlled airspace in the Columbus, Nebr., terminal area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. Due consideration was given to all relevant matters presented. The Air Transport Association offered no objection to the airspace designation as proposed. A request to have Brandt's Airstrip near Columbus, Nebr., excluded from the proposed control zone was received from Mr. Norman Brandt, owner of said airstrip. The Agency has determined that the control zone cannot be adjusted so as to exclude the Brandt Airstrip without impairing safety.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., August 19, 1965, as hereinafter set forth.

(1) In § 71.171 (29 F.R. 17581) the following control zone is added:

COLUMBUS, NEBR.

Within a 5-mile radius of the Columbus Municipal Airport (latitude 41°26'50" N., longitude 97°20'25" W.), and within 2 miles each side of the Columbus VOR 340° and 141° radials, extending from the 5-mile radius zone to 8 miles N and SE of the VOR, and within 2 miles each side of the 330° bearing from the Columbus RBN, extending from the 5-mile radius zone to 8 miles NW of the RBN. This control zone shall be effective during the times established by a Notice to Airmen and continuously published in the Airman's Information Manual.

(2) In § 71.181 (29 F.R. 17643) the following transition area is added:

COLUMBUS, NEBR.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Columbus Municipal Airport (latitude 41°26'50" N., longitude 97°20'25" W.), and within 8 miles NE and 5 miles SW of the Columbus VOR 141° radial extending from the VOR to 12 miles SE, and within 8 miles W and 5 miles E of the Columbus VOR 340° radial extending from the VOR to 12 miles N and within 8 miles SW and 5 miles NE of the 330° and 150° bearings from the Columbus RBN extending from 2 miles SE of the RBN to 12 miles NW of the RBN.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on June 14, 1965.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 65-6615; Filed, June 23, 1965; 8:45 a.m.]

[Airspace Docket No. 65-CE-37]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone, Designation of Transition Area and Revocation of Control Area Extension

On April 7, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 4490) stating that the Federal Aviation Agency proposed to alter the controlled airspace in the vicinity of Watertown, S. Dak.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. The only comment received was from the Air Transport Association, wherein they expressed their concurrence with the proposed alteration.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0001 e.s.t., August 19, 1965, as hereinafter set forth.

(1) § 71.165 (29 F.R. 17557) the Watertown, S. Dak., control area extension is revoked in its entirety.

(2) § 71.171 (29 F.R. 17581) the Watertown, S. Dak., control zone is amended to read:

WATERTOWN, S. DAK.

Within a 5-mile radius of Watertown, S. Dak., Municipal Airport (latitude 44°54'35" N., longitude 97°09'30" W.), within 2 miles each side of the Watertown VOR 185° radial, extending from the 5-mile radius zone to 11 miles S of the VOR, and within 2 miles each side of the 146° bearing from Watertown Municipal Airport, extending from the 5-mile radius zone to 12 miles SE of the airport.

(3) In § 71.181 (29 F.R. 17643) the following transition area is added:

WATERTOWN, S. DAK.

That airspace extending from 700 feet above the surface within a 9-mile radius of Watertown, S. Dak., Municipal Airport (latitude 44°54'35" N., longitude 97°09'30" W.), within 2 miles each side of the Watertown VOR 185° radial extending from the 9-mile radius area to 20 miles S of the VOR, and within 5 miles E and 8 miles W of the Water-

town VOR 006° radial extending from the VOR to 12 miles N of the VOR; and that airspace extending upward from 1,200 feet above the surface south of Watertown bounded on the E by longitude 96°50'00" W., on the S by latitude 44°34'00" N., on the W by longitude 97°21'00" W. and on the N by latitude 44°56'00" N., the airspace northwest of Watertown within 5 miles NE and 8 miles SW of the Watertown VOR 297° radial extending from the VOR to 30 miles NW of the VOR, and the airspace north of Watertown within 6 miles W and 5 miles E of the Watertown VOR 006° radial extending from the VOR to 39 miles N of the VOR.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on June 14, 1965.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 65-6616; Filed, June 23, 1965; 8:45 a.m.]

[Airspace Docket No. 65-CE-57]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Withdrawal of Rule Modifying Control Zone

A rule modifying a certain portion of the Aberdeen, S. Dak., control zone, to be effective July 22, 1965, was published in the FEDERAL REGISTER on May 13, 1965 (30 F.R. 6578).

This airspace was to be modified due to the scheduled conversion of the Aberdeen, S. Dak., L/MF radio range to a radio beacon on July 22, 1965. The Federal Aviation Agency is now considering whether this radio facility will be needed. Therefore, the radio range will not be converted. Accordingly, the rule is being withdrawn.

In consideration of the foregoing, notice is hereby given that the rule contained in Airspace Docket No. 65-CE-57 is withdrawn. By reason of the foregoing, the Aberdeen, S. Dak., control zone will continue to include that airspace designated as "Aberdeen R.R. S course, extending from the 5-mile radius zone to 8 miles S of the R.R." until further notification by the Federal Aviation Agency.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on June 14, 1965.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 65-6617; Filed, June 23, 1965; 8:45 a.m.]

[Airspace Docket No. 65-WE-66]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Revocation of Transition Area

The purpose of this amendment to § 71.181 of the Federal Aviation Regulations is to revoke the Essex, Calif., transition area.

The Federal Aviation Agency has determined that the Essex, Calif., transi-

tion area is no longer required for air traffic control purposes and, therefore, is no longer justified as an assignment of controlled airspace. Action is taken herein to revoke the Essex, Calif., transition area.

Since this amendment is minor in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made immediately.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended as hereinafter set forth.

Section 71.181 (29 F.R. 17662) is amended by revoking the following transition area:

Essex, Calif.

This amendment shall become effective upon the date of publication in the FEDERAL REGISTER.

(Sec. 307(a) of the Federal Aviation Act of 1958, as amended; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Los Angeles, Calif., on June 15, 1965.

JOSEPH H. TIPPETS,
Director, Western Region.

[F.R. Doc. 65-6618; Filed, June 23, 1965;
8:46 a.m.]

[Docket No. 1464]

PART 137—AGRICULTURAL AIRCRAFT OPERATIONS

This amendment adds a new Part 137—Agricultural Aircraft Operations, to the Federal Aviation Regulations.

This amendment was originally proposed as a notice of proposed rule making issued as Draft Release No. 62-47 and published in the FEDERAL REGISTER on November 7, 1962 (27 F.R. 10848). As a result of the comments received the proposal was modified and republished in the FEDERAL REGISTER September 10, 1964, with a notice of public hearing (29 F.R. 12781). The new part basically follows the modified proposal contained in that notice of public hearing.

A large number of written comments were received on both notices. In addition, many oral comments were received at the public hearing held on November 5, 1964, at Oklahoma City, Okla. The Agency wishes to thank all those who have so contributed. The comments received have been very helpful in resolving the many issues involved in this rule making action. All comments have been carefully considered. It is only with the full participation of the aviation community that the Agency can be assured that its regulations are fair and adequately meet only demonstrated needs.

A large number of comments objected to the establishment of Agricultural Aircraft operator certificates and rules. These comments were based mostly upon the assumption that: (1) The regulations are unnecessary and discriminatory with respect to the aerial applicators since similar controls are not placed upon ground applicators, (2) agricultural aircraft operations are now adequately controlled by the States, (3) the Agency does not have the statutory

authority to require an operating certificate of the type proposed in these regulations.

The legal authority of the Agency was discussed in the original proposal (Draft Release No. 62-47) and at the public hearing conducted by the Agency. Section 307(c) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(c)) authorizes and directs the Administrator to prescribe, among other things, regulations for the protection of persons and property on the ground. The legislative history of this provision which did not appear in the previous provisions of the Civil Aeronautics Act of 1938, indicates the intent of the Congress to authorize the Administrator to place restrictions upon aircraft engaged in crop dusting and spraying as are necessary for the protection of persons and property on the ground. In addition, section 607 of the Act (49 U.S.C. 1427) provides ample authority for the Administrator to issue certificates not only for flight schools but for other air agencies, such as agricultural aircraft operators, as may be necessary in the interest of the public.

As stated at the public hearing, the Agency is not persuaded that the existence of some local laws relieves the Administrator of his statutory duty to prescribe adequate and uniform regulations not only for the safety of flight, but for the protection of persons and property on the ground. To perform this duty properly, we have concluded that this new Part 137 is necessary. The use of a certificate of waiver for agricultural aircraft operations has not been entirely satisfactory. By nature it is a negative approach as it authorizes nonobservance of air traffic rules without any control over the dispensing of the economic poisons from the aircraft. At the hearing concerning the buildup of pesticides in certain areas of this country, conducted by the Subcommittee on Reorganization and International Organizations of the U.S. Senate Government Operations Committee, in April of 1964, the need for regulations controlling the dispensing of economic poisons was brought to the attention of the Agency.

Whether similar controls should be adopted for operators of ground equipment used in the dispensing of agricultural chemicals is not, of course, a matter for decision by this Agency. However, to the extent that the dispensing of agricultural chemicals involves the use of aircraft, it is the responsibility of this Agency to decide whether additional controls are necessary for safety of the aircraft in flight and for the protection of persons and property on the ground. Moreover, this responsibility is not affected by the absence of similar controls by State and local governments over other means of dispensing.

In substance, Part 137 as adopted herein provides that an applicant for an agricultural aircraft operator certificate, or the person who is to be his chief supervisor, must pass tests on his knowledge of agricultural materials and their application and his agricultural aircraft flying skill. In addition, each pilot in command must pass a similar test. The knowledge test is designed to show his understanding of safe agricultural air-

craft operations and the proper handling and dispensing of economic poisons and other agricultural chemicals and materials. The flight test is designed to show that he possesses sufficient skill in performing basic agricultural aircraft flight maneuvers with an aircraft loaded to its gross weight. A "grandfather" clause would exempt from the knowledge test and the flight test requirements any person who holds a currently effective certificate of waiver at the time he applies for an agricultural aircraft operator certificate, and whose record of operation under the waiver has not disclosed any question regarding the safety of his flying or his competence in dispensing agricultural materials and chemicals. Pilots who have a satisfactory record while working for such operators are also covered by the grandfather clause.

The rules of Part 137 are directed to the safety of agricultural aircraft operations and the dispensing of materials during such operations. No attempt has been made to establish flight procedures for specific crops or to direct the use of particular application techniques, nor do the rules prescribe the kinds of chemicals or other materials to be used. However, it does prohibit the dispensing of economic poisons for a use other than that for which it is registered with the U.S. Department of Agriculture, contrary to any safety instructions on its label, or in violation of any federal law or regulation. Limitation of the use of an economic poison to its registered use with the Department of Agriculture which has federal responsibility for economic poisons registered for use, will assure its safety and efficacy in agricultural aircraft operations. The rules do not, of course, relieve the agricultural aircraft operator of the responsibility of complying with any State or local laws enacted pursuant to health and police powers relating to the dispensing of agricultural materials and chemicals. As in the past, compliance with such rules is a matter for the appropriate State or local authorities rather than this Agency.

As a result of the comments received and a further review within the Agency a number of changes have been made to the modified proposal. The changes are discussed in detail below.

1. Definitions of "agricultural aircraft operation", and "economic poison" have been added. These definitions follow generally the definitions of these terms as proposed in the original notice.

Written and oral comments received in response to the proposal objected to the use of the term "economic poison" in referring to certain agricultural chemicals and herbicides used in agricultural aircraft operations. These objections were based upon the contention that those chemicals and herbicides are not, in most cases, harmful to animal life, or because the public would associate the word poison with injury or death and thus object to its use.

The term "economic poison" as used in the Federal Insecticide, Fungicide and Rodenticide Act is defined in 7 U.S.C. 135. Since the regulation is intended to refer to economic poisons as defined by that Act, it would serve no useful pur-

pose to give them a different name under these regulations.

Other comments in regard to definitions strongly recommended the definition of the term "congested area" as contained in the original draft release. This definition was removed from the subsequent proposal because it was in conflict with the term as it is used in § 91.79 of the Federal Aviation Regulations. A congested area, as proposed in the original draft release and as recommended by the comments, would be determined by whether an emergency landing over the area would create a hazard to persons or property. Under § 91.79 the aircraft must remain above certain altitudes over a congested area and, except during takeoff or landing, it must in all cases be operated at an altitude allowing, if a power unit fails, an emergency landing without undue hazard to persons or property on the surface.

In view of the conflict between these definitions it has not been incorporated in this part. Instead, the regulations as adopted herein prescribe operating rules for operations over congested areas and over other than congested areas. If, as in the past, an operation is to be conducted over a congested area the rules permit the operation to be conducted with both single and multi-engine aircraft. Moreover, as in the past the operation may also be conducted below the altitudes prescribed in § 91.79 when necessary for the accomplishment of the agricultural aircraft operation under prescribed conditions and limitations which are basically the same as those issued in conjunction with the issuance of the former certificate of waiver. The Agency believes that this procedure will provide a maximum of safety consistent with the operation.

2. The substance of proposed § 137.13 Designation of certificate has been included in § 137.1.

3. The last three words "or otherwise terminated" have been dropped from proposed § 137.19 (now § 137.13) to make it clear that, if an agricultural aircraft operator complies with this section, his present certificate of waiver is extended and does not terminate on its own termination date.

4. A new § 137.17 has been added on how certificates issued under the new part can be amended. This is consistent with other FAR's and will provide procedures for the amendment of a certificate by either the Administrator or the holder of the certificate.

5. The limitations upon the private agricultural aircraft operator are the same as those contained in the draft release. As adopted in § 137.35 the private agricultural aircraft operator may not conduct operations over property unless he is the owner or lessee of the property, he has ownership or other property (legal) interest in the crops located on the property. In addition, he may not conduct operations for compensation or hire, or over a congested area.

6. The "twilight" limitation in proposed § 137.31(k) (now § 137.47) has been dropped as unnecessary in view of the one-mile visibility requirement of that section.

7. Proposed §§ 137.33 and 137.37 (now §§ 137.49 and 137.51(b)) have been modified to limit the no hazard prohibition to persons or property on the surface. This modification is in keeping with the intent of the proposal to prohibit flights at such altitudes as to create a hazard to persons or property on the surface. A similar amendment has been made to proposed § 137.31(c) (now § 137.37) to conform with section 307(c) of the Federal Aviation Act of 1958.

8. The prohibitions respecting the dispensing of economic poisons contained in proposed § 137.31(d) (now § 137.39) have been changed to correspond with recommendations made by the U.S. Department of Agriculture at the public hearing. Since the Federal label does not carry a list of the disapproved uses of an economic poison, the rule has been changed to prohibit the use of the poison for a use other than that for which it is registered with the U.S. Department of Agriculture. In addition, the prohibition against the use of the poison contrary to instructions on the label relating to aerial application has been deleted because the labels do not as a rule give instructions for aerial applications.

9. The knowledge and skill requirements for pilots contained in proposed § 137.31(h) (now § 137.41(c)) now apply to the pilot in command rather than any pilot as contained in the proposal.

10. Section 137.51(b)(4) as adopted permits single engine agricultural aircraft operations over a congested area. This modification of the proposal is in accordance with the statement made by the Agency representative at the public hearing.

11. The experience requirements for operation over a congested area contained in proposed § 137.39(b) (now § 137.53(b)) apply to the pilot in command rather than any pilot as contained in the proposal.

12. In view of the many comments opposed to any additional paperwork by the operators, the Agency reviewed the record and report keeping requirements of the proposal and has concluded that the annual report contained in § 137.53 of the proposal could be eliminated. Those records specified in § 137.51 of the proposal for commercial operators are needed by the Agency for the proper discharge of its responsibilities and have been retained in § 137.71 of this rule.

13. A new § 137.77 has been added which requires the holder of a certificate issued to him under this part to return the certificate to the FAA whenever he ceases to conduct operations under the certificate. This provision is similar to that contained in other parts of the regulations and is needed by the Agency to keep its records current.

14. One comment strongly urged the issuance of an "Agricultural Rating" as a part of the pilot certificate for those pilots used in agricultural aircraft operations. This pilot rating procedure for the rating of the individual pilots was recommended in lieu of the proposed system of issuing an Agricultural Aircraft Operator Certificate to the owner or operator of the company or other organization conducting the business.

While this recommendation has merit, the Agency does not believe it will adequately accomplish the objectives of an Agricultural Aircraft Operator Certificate. The recommended pilot rating, issued on the basis of his previous experience in agricultural aircraft operations, would only relate to the competency of the pilot. The Agency would still be required to issue certificates of waiver with appropriate conditions and limitations for those operations requiring deviations from Part 91. As previously stated in the initial proposal contained in Draft Release No. 62-47, the use of the certificate of waiver has not been entirely satisfactory. It is only required if operations are to be conducted below the minimum altitudes, or in deviation of other provisions of Part 91. In effect, it constitutes an authorization to deviate from regulations under specified conditions and limitations, instead of a certification by the Agency that a particular person has shown that he meets specified qualifications in regard to aircraft and personnel to safely conduct agricultural aircraft operations in accordance with prescribed operating rules. The Agency believes that the latter certificate, issued, amended, suspended, or revoked within the framework of the provisions of the Federal Aviation Act of 1958, is a more desirable method to administer its responsibilities under that Act. Moreover, it will provide the applicant for, or the holder of, that certificate with the procedural benefits contained in the Act for the issuance, amendment, suspension, or revocation of a certificate which are not afforded to him under the certificate of waiver.

15. Comments received from representatives of State and local governments conducting their own aerial insecticide work for the abatement of mosquitoes and other pests which may affect the public health, have requested a clarification of the application of the regulation to those operations. Although these comments did not express general objection to compliance with the rules, one comment indicated that because of the emergency nature of the operations it would be impossible to comply with the notice requirements of proposed § 137.35.

An aircraft used exclusively in the service of any government or of any political subdivision thereof, and not engaged in carrying persons or property for compensation or hire, is a public aircraft within the meaning of the Federal Aviation Act of 1958. Public aircraft and the operators of such aircraft are not required to comply with the certification rules of the Federal Aviation Regulations. They must, however, comply with the air traffic or flight rules of Part 91 and this part, including the aircraft dispensing rules as prescribed under section 307(c) of the Act. Therefore, even though a State or local government engaging in agricultural aircraft operations is not required to comply with the certification requirements of this part when using public aircraft, it may elect to do so.

To clarify the application of this part to agricultural aircraft operations conducted with public aircraft, § 137.11(c) of the certification rules of Subpart B

now includes a provision that an agricultural aircraft operator certificate is not needed for those operations. Section 137.29(b) also specifies the sections of the operating rules that are not applicable to public aircraft.

With respect to emergency operations it is to be noted that as proposed in the notice of public hearing, and as adopted herein under § 137.1(b), a deviation from the operating rules of this part (Subpart C) is permitted to the extent necessary for relief and welfare activities approved by an agency of the United States, or of a State or local government. The Agency believes that this provision provides adequate authority for deviations from the notice and other requirements of that subpart as may be necessary under the circumstances of each case. However, in order to properly administer the use of such deviation by the operators concerned, a new paragraph (c) has been added to § 137.1 which will require the operator to submit a report of the deviations to the FAA. In view of the foregoing clarification of the applicability of the part, no distinction has been made between civil or public aircraft wherever the word aircraft is used.

Part 137 will become effective on January 1, 1966. This date will give all persons concerned approximately 6 months in which to prepare for operating under the new part.

Interested persons have been afforded an opportunity to participate in the making of this regulation, and due consideration has been given to all relevant matter presented.

In view of the foregoing, and, in addition, in consideration of the reasons set forth in both the notice of proposed rule making and the notice of public hearing, Title 14 of the Code of Federal Regulations is amended by adding a new Part 137—Agricultural Aircraft Operations, reading as hereinafter set forth, effective January 1, 1966.

Issued in Washington, D.C., on June 17, 1965.

N. E. HALABY,
Administrator.

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AUTHORITY: The provisions of this Part 137 issued under secs. 313(a), 307(c), 601 and 607 of the Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1348(c), 1421, and 1427.

Subpart A—General

§ 137.1 Applicability.

(a) This part prescribes rules governing—

(1) Agricultural aircraft operations within the United States; and

(2) The issue of commercial and private agricultural aircraft operator certificates for those operations.

(b) In a public emergency, a person conducting agricultural aircraft operations under this part may, to the extent necessary, deviate from the operating rules of this part for relief and welfare activities approved by an agency of the United States or of a State or local government.

(c) Each person who, under the authority of this section, deviates from a rule of this part shall, within 10 days after the deviation send to the nearest FAA District Office a complete report of the aircraft operation involved, including a description of the operation and the reasons for it.

§ 137.3 Definition of terms.

For the purposes of this part—

"Agricultural aircraft operation" means the operation of an aircraft for the purpose of (1) dispensing any economic poison, (2) dispensing any other substance intended for plant nourishment, soil treatment, propagation of plant life, or pest control, or (3) for engaging in other activities directly affecting agriculture, horticulture, or forest preservation; and

"Economic poison" means (1) any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any insects, rodents, nematodes, fungi, weeds, and other forms of plant or animal life or viruses, except viruses on or in living man or other animals, which the Secretary of Agriculture shall declare to be a pest, and (2) any substance or mixture of substances intended for use as a plant regulator, defoliant or desiccant.

Subpart B—Certification Rules

§ 137.11 Certificate required.

(a) Except as provided in § 137.13 and paragraph (c) of this section, no person may conduct agricultural aircraft operations without, or in violation of, an agricultural aircraft operator certificate issued under this part.

(b) Notwithstanding Part 133 of this chapter, an operator may, if he complies

with this part, conduct agricultural aircraft operations with a rotorcraft with external dispensing equipment in place without a rotorcraft external-load operator certificate.

(c) A Federal, State, or local government conducting agricultural aircraft operations with public aircraft need not comply with this subpart.

§ 137.13 Continuance of existing authority.

Any person conducting agricultural aircraft operations under a certificate of waiver issued by the Administrator that is in effect on the day before the date on which this part becomes effective may continue to operate under that certificate if he applies for an agricultural aircraft operator certificate before the effective date of this part. Unless the certificate of waiver is sooner suspended or revoked, this extension of authority terminates when he is given notice of final action on his application.

§ 137.15 Application for certificate.

An application for an agricultural aircraft operator certificate is made on a form and in a manner prescribed by the Administrator, and filed with the FAA District Office that has jurisdiction over the area in which the applicant's home base of operations is located.

§ 137.17 Amendment of certificate.

(a) The Administrator may amend an agricultural aircraft operator certificate—

(1) On his own initiative, under section 609 of the Federal Aviation Act of 1958 (49 U.S.C. 1429) and Part 13 of this chapter; or

(2) Upon application by the holder of that certificate.

(b) An application to amend an agricultural aircraft operator certificate is submitted on a form and in a manner prescribed by the Administrator. The applicant must file the application with the FAA District Office having jurisdiction over the area in which the applicant's home base of operations is located at least 15 days before the date that he proposes the amendment become effective, unless a shorter filing period is approved by that office.

(c) The Administrator grants a request to amend a certificate if he determines that safety in air commerce and the public interest so allow.

(d) Within 30 days after receiving a refusal to amend, the holder may petition the Administrator personally to reconsider the refusal.

§ 137.19 Certification requirements.

(a) General. An applicant for a private agricultural aircraft operator certificate is entitled to that certificate if he shows that he meets the requirements of paragraphs (b), (d), and (e) of this section. An applicant for a commercial agricultural aircraft operator certificate is entitled to that certificate if he shows that he meets the requirements of paragraphs (c), (d), and (e) of this section. However, if an applicant applies for an agricultural aircraft operator certificate containing a prohibition against the dispensing of economic poisons, that appli-

cant is not required to demonstrate the knowledge required in paragraphs (e) (1) (i) through (iv) of this section.

(b) *Private operator—pilot.* The applicant must hold a current U.S. private, commercial, or airline transport pilot certificate and be properly rated for the aircraft to be used.

(c) *Commercial operator—pilots.* The applicant must have available the services of at least one person who holds a current U.S. commercial or airline transport pilot certificate and who is properly rated for the aircraft to be used. The applicant himself may be the person available.

(d) *Aircraft.* The applicant must have at least one certificated and airworthy aircraft, equipped for agricultural operation.

(e) *Knowledge and skill tests.* The applicant must show, or have the person who is designated as the chief supervisor of agricultural aircraft operations for him show, that he has satisfactory knowledge and skill regarding agricultural aircraft operations, as described in subparagraphs (1) and (2) of this paragraph. However, an applicant need not comply with this paragraph if, at the time he applies for an agricultural aircraft operator certificate, he holds a current certificate of waiver for conducting agricultural aircraft operations or the person who is to supervise agricultural aircraft operations for him holds such a certificate, and if his record of operation under the waiver has not disclosed any question regarding the safety of his flight operations or his competence in dispensing agricultural materials or chemicals.

(1) The test of knowledge consists of the following:

(i) Steps to be taken before starting operations, including survey of the area to be worked.

(ii) Safe handling of economic poisons and the proper disposal of used containers for those poisons.

(iii) The general effects of economic poisons and agricultural chemicals on plants, animals, and persons, with emphasis on those normally used in the areas of intended operations; and the precautions to be observed in using poisons and chemicals.

(iv) Primary symptoms of poisoning of persons from economic poisons, the appropriate emergency measures to be taken, and the location of poison control centers.

(v) Performance capabilities and operating limitations of the aircraft to be used.

(vi) Safe flight and application procedures.

(2) The test of skill consists of the following maneuvers that must be shown in any of the aircraft specified in paragraph (d) of this section, and at that aircraft's maximum certificated take-off weight, or the maximum weight established for the special purpose load, whichever is greater:

(i) Short-field and soft-field takeoffs (airplanes and gyroplanes only).

(ii) Approaches to the working area.

(iii) Flare-outs.

(iv) Swath runs.

(v) Pullups and turnarounds.

(vi) Rapid deceleration (quick stops) in helicopters only.

§ 137.21 Duration of certificate.

An agricultural aircraft operator certificate is effective until it is surrendered, suspended, or revoked. The holder of an agricultural aircraft operator certificate that is suspended or revoked shall return it to the Administrator.

Subpart C—Operating Rules

§ 137.29 General.

(a) Except as provided in paragraph (b) of this section this subpart prescribes rules that apply to persons and aircraft used in agricultural aircraft operations conducted under this part.

(b) Sections 137.31 through 137.35, 137.41, and 137.53, through 137.59 do not apply to persons and aircraft used in agricultural aircraft operations conducted with public aircraft.

§ 137.31 Aircraft requirements.

No person may operate an aircraft unless that aircraft—

(a) Meets the requirements of § 137.19 (d); and

(b) Is equipped with a suitable and properly installed shoulder harness for use by each pilot.

§ 137.33 Carrying of certificate.

No person may operate an aircraft unless a facsimile of the agricultural aircraft operator certificate, under which the operation is conducted, is carried on that aircraft. The facsimile shall be presented for inspection upon the request of the Administrator or any Federal, State, or local law enforcement officer.

§ 137.35 Limitations on private agricultural aircraft operator.

No person may conduct an agricultural aircraft operation under the authority of a private agricultural aircraft operator certificate—

(a) For compensation or hire;

(b) Over a congested area; or

(c) Over any property unless he is the owner or lessee of the property, or has ownership or other property interest in the crop located on that property.

§ 137.37 Hazardous dispensing.

No persons may dispense, or cause to be dispensed, from an aircraft, any material or substance in a manner that creates a hazard to persons or property on the surface.

§ 137.39 Economic poison dispensing.

No person may dispense or cause to be dispensed from an aircraft, any economic poison that is registered with the U.S. Department of Agriculture under the Federal Insecticide, Fungicide, and Rodenticide Act of 1947 (as amended)—

(a) For a use other than that for which it is registered;

(b) Contrary to any safety instructions or use limitations on its label; or

(c) In violation of any law or regulation of the United States.

§ 137.41 Personnel.

(a) *Information.* The holder of an agricultural aircraft operator certificate

shall insure that each person used in the holder's agricultural aircraft operation is informed of that person's duties and responsibilities for the operation.

(b) *Supervisors.* No person may supervise an agricultural aircraft operation unless he has met the knowledge and skill requirements of § 137.19(e).

(c) *Pilot in command.* No person may act as pilot in command of an aircraft unless he holds a pilot certificate and rating prescribed by § 137.19 (b) or (c), as appropriate to the type of operation conducted. In addition, he must demonstrate to the holder of the Agricultural Aircraft Operator Certificate conducting the operation that he has met the knowledge and skill requirements of § 137.19(e). If the holder of that certificate has designated a person under § 137.19(e) to supervise his agricultural aircraft operations the demonstration must be made to the person so designated. However, a demonstration of the knowledge and skill requirement is not necessary for any pilot in command who—

(1) Is, at the time of the filing of an application by an agricultural aircraft operator, working as a pilot in command for that operator; and

(2) Has a record of operation under that applicant that does not disclose any question regarding the safety of his flight operations or his competence in dispensing agricultural materials or chemicals.

§ 137.43 Airport traffic areas and control zones.

(a) Except for flights to and from a dispensing area, no person may operate an aircraft within an airport traffic area, or within a control zone having an operative control tower, unless authorization for that operation has been obtained from the control tower concerned.

(b) No person may operate an aircraft in weather conditions below VFR minimums within a control zone not having an operative control tower unless authorization for that operation has been obtained from the appropriate ATC facility.

§ 137.45 Nonobservance of airport traffic pattern.

Notwithstanding Part 91 of this chapter, the pilot in command of an aircraft may deviate from an airport traffic pattern when authorized by the control tower concerned. At an airport without a functioning control tower, the pilot in command may deviate from the traffic pattern if—

(a) Prior coordination is made with the airport management concerned;

(b) Deviations are limited to the agricultural aircraft operation;

(c) Except in an emergency, landing and takeoffs are not made on ramps, taxiways, or other areas of the airport not intended for such use; and

(d) The aircraft at all times remains clear of, and gives way to, aircraft conforming to the traffic pattern for the airport.

§ 137.47 Operation without position lights.

Notwithstanding Part 91 of this chapter, an aircraft may be operated without position lights if prominent unlighted

objects are visible for at least 1 mile and takeoffs and landings at—

(a) Airports with a functioning control tower are made only as authorized by the control tower operator; and

(b) Other airports are made only with the permission of the airport management and no other aircraft operations requiring position lights are in progress at that airport.

§ 137.49 Operation over other than congested areas.

Notwithstanding Part 91 of this chapter, an aircraft may be operated over other than congested areas below 500 feet above the surface and closer than 500 feet to persons, vessels, vehicles, and structures, if the operations are conducted without creating a hazard to persons or property on the surface.

§ 137.51 Operation over congested areas: general.

(a) Notwithstanding Part 91 of this chapter, an aircraft may be operated over a congested area at altitudes required for the proper accomplishment of the agricultural aircraft operation if the operation is conducted—

(1) With the maximum safety to persons and property on the surface, consistent with the operation; and

(2) In accordance with the requirements of paragraph (b) of this section.

(b) No person may operate an aircraft over a congested area except in accordance with the requirements of this paragraph.

(1) Prior written approval must be obtained from the appropriate official or governing body of the political subdivision over which the operations are conducted.

(2) Notice of the intended operation must be given to the public by some effective means, such as daily newspapers, radio, television, or door-to-door notice.

(3) A plan for each complete operation must be submitted to, and approved by appropriate personnel of the Federal Aviation Agency District Office having jurisdiction over the area where the operation is to be conducted. The plan must include consideration of obstructions to flight; the emergency landing capabilities of the aircraft to be used; and any necessary coordination with air traffic control.

(4) Single engine aircraft must be operated as follows:

(i) Except for helicopters, no person may take off a loaded aircraft, or make a turnaround over a congested area.

(ii) No person may operate an aircraft over a congested area below the altitudes prescribed in Part 91 of this chapter except during the actual dispensing operation, including the approaches and departures necessary for that operation.

(iii) No person may operate an aircraft over a congested area during the actual dispensing operation, including the approaches and departures for that operation, unless it is operated in a pattern and at such an altitude that the aircraft can land, in an emergency, without endangering persons or property on the surface.

(5) Multiengine aircraft must be operated as follows:

(i) No person may take off a multiengine airplane over a congested area except under conditions that will allow the airplane to be brought to a safe stop within the effective length of the runway from any point on takeoff up to the time of attaining, with all engines operating at normal takeoff power, 105 percent of the minimum control speed with the critical engine inoperative in the takeoff configuration or 115 percent of the power-off stall speed in the takeoff configuration, whichever is greater, as shown by the accelerate stop distance data. In applying this requirement, takeoff data is based upon still-air conditions, and no correction is made for any uphill gradient of 1 percent or less when the percentage is measured as the difference between elevation at the end points of the runway divided by the total length. For uphill gradients greater than 1 percent, the effective takeoff length of the runway is reduced 20 percent for each 1-percent grade.

(ii) No person may operate a multiengine airplane at a weight greater than the weight that, with the critical engine inoperative, would permit a rate of climb of at least 50 feet per minute at an altitude of at least 1,000 feet above the elevation of the highest ground or obstruction within the area to be worked or at an altitude of 5,000 feet, whichever is higher. For the purposes of this subdivision, it is assumed that the propeller of the inoperative engine is in the minimum drag position; that the wing flaps and landing gear are in the most favorable positions; and that the remaining engine or engines are operating at the maximum continuous power available.

(iii) No person may operate any multiengine aircraft over a congested area below the altitudes prescribed in Part 91 of this chapter except during the actual dispensing operation, including the approaches, departures, and turnarounds necessary for that operation.

§ 137.53 Operation over congested areas: pilots and aircraft.

(a) *General.* No person may operate an aircraft over a congested area except in accordance with the pilot and aircraft rules of this section.

(b) *Pilots.* Each pilot in command must have at least—

(1) 25 hours of pilot-in-command flight time in the make and basic model of the aircraft, at least 10 hours of which must have been acquired within the preceding 12 calendar months; and

(2) 100 hours of flight experience as pilot in command in dispensing agricultural materials or chemicals.

(c) *Aircraft.* (1) Within the preceding 100 hours of time in service, each aircraft must have—

(i) Had a 100-hour or periodic inspection by a person authorized by Part 65 or 145 of this chapter; or

(ii) Been maintained under a progressive inspection system.

(2) If other than a helicopter, it must be equipped with a device capable of jet-

tisoning at least one-half of the aircraft's maximum authorized load of agricultural material within 45 seconds. If the aircraft is equipped with a device for releasing the tank or hopper as a unit, there must be a means to prevent inadvertent release by the pilot or other crewmember.

§ 137.55 Business name: commercial agricultural aircraft operator.

No person may operate under a business name that is not shown on his commercial agricultural aircraft operator certificate.

§ 137.57 Availability of certificate.

Each holder of an agricultural aircraft operator certificate shall keep that certificate at his home base of operations and shall present it for inspection on the request of the Administrator or any Federal, State, or local law enforcement officer.

§ 137.59 Inspection authority.

Each holder of an agricultural aircraft operator certificate shall allow the Administrator at any time and place to make inspections, including on-the-job inspections, to determine compliance with applicable regulations and his agricultural aircraft operator certificate.

Subpart D—Records and Reports

§ 137.71 Records: commercial agricultural aircraft operator.

(a) Each holder of a commercial agricultural aircraft operator certificate shall maintain and keep current, at the home base of operations designated in his application, the following records:

(1) The name and address of each person for whom agricultural aircraft services were provided;

(2) The date of the service;

(3) The name and quantity of the material dispensed for each operation conducted; and

(4) The name, address, and certificate number of each pilot used in agricultural aircraft operations and the date that pilot met the knowledge and skill requirements of § 137.19(e).

(b) The records required by this section must be kept at least 12 months and made available for inspection by the Administrator upon request.

§ 137.75 Change of address.

Each holder of an agricultural aircraft operator certificate shall notify the FAA in writing in advance of any change in the address of his home base of operations.

§ 137.77 Termination of operations.

Whenever a person holding an agricultural aircraft operator certificate ceases operations under this part, he shall surrender that certificate to the FAA District Office last having jurisdiction over his operation.

NOTE: The recordkeeping and reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

[F.R. Doc. 65-6619; Filed, June 23, 1965; 8:46 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

Commission Action; Correction

In the document revising Part 240 of Chapter II of Title 17 of the Code of Federal Regulations, published on pages 6114 and 6115 in the FEDERAL REGISTER dated April 30, 1965, the following corrections are made:

1. The reference to "§§ 240.13a11-1 and 240.12h-2" in the first sentence under *Commission action* should read "§§ 240.3a11-1 and 240.12h-2".

2. The parenthetical reference to "§ 240.13a11-1" in the concluding paragraph of the document should read "§ 240.3a11-1".

By the Commission, June 18, 1965.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 65-6620; Filed, June 23, 1965;
8:46 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER C—DRUGS

PART 148i—NEOMYCIN SULFATE

Neomycin Sulfate-Polymyxin B Sulfate-Gramicidin Ophthalmic Solution

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357) and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.90), §148i.20(a) (3) (ii) (d) (2) is amended to provide for a special sampling procedure in regard to sterility testing. As amended, the affected portion reads as follows:

§148i.20 Neomycin sulfate-polymyxin B sulfate-gramicidin ophthalmic solution.

- (a) * * *
- (3) * * *
- (ii) * * *
- (d) * * *

(2) For sterility testing: 20 immediate containers, collected at regular intervals

throughout each filling operation, except that if the product is sterilized after filling, a representative sample consisting of 10 immediate containers from each sterilizer load. If only 1 sterilizer load is involved, the sample shall consist of 20 immediate containers.

Notice and public procedure and delayed effective date are unnecessary prerequisites to the promulgation of this order, and I so find, since the change, which provides a sampling procedure appropriate to the subject drug when it is sterilized after filling into final containers rather than before, is of a technical, noncontroversial nature and is consistent with the requirements that the drug be safe and efficacious.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357)

Dated: June 18, 1965.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 65-6647; Filed, June 23, 1965;
8:48 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 9—Atomic Energy Commission

PART 9-15—CONTRACT COST PRINCIPLES AND PROCEDURES

Miscellaneous Amendments

The following section is added:

§ 9-15.000-50 Policy, cost-type contractor procurement.

The following subpart of FPR 1-15 and this AECPR 9-15 constitute specific provisions which the contracting officer shall bring to the attention of Class A and Class B cost-type contractors as constituting areas which require appropriate treatment in the development of statements of contractor procurement practices in order to carry out the basic AEC procurement policy set forth in AECPR § 9-1.5203:

Subpart or part	Subject
FPR 1-15.3	Principles for Determining Applicable Costs Under Research Contracts With Educational Institutions.
AECPR 9-15...	Contract Cost Principles and Procedures.

Section 9-15.000-4 *Cost determination based on audit*, paragraph (a) is revised to read as follows:

§ 9-15.000-4 Cost determination based on audit.

(a) The amount reimbursable under cost-type contracts shall be determined in accordance with the terms of the respective contracts on the basis of audit. In the event that the contractual terms differ or are inconsistent (see § 9-15.0003 for approval of deviations) with the principles stated herein the contractual terms control. The audit is performed directly by AEC (or by the cognizant Federal agency pursuant to arrangements made by the AEC) in the case of cost-type contracts. Contracting officers shall assure that cost-type prime contractors assume the responsibility for audit of subcontractors (and provide for the audit of lower tier subcontractors by the subcontractor immediately preceding in the contractual chain) except as noted in this paragraph. Exceptions may be made to this general principle of subcontractors being audited by the next higher-tier contractor, where the latter is interrelated with the subcontractor involved, does not have the necessary audit facilities or for other reasons is not in a position to perform the subcontract audit in a manner satisfactory to the AEC. In the event of such exception, the subcontract audit responsibility shall rest with the successively higher-tier contractor (or ultimately AEC), but responsibility for determining the costs reimbursable to the subcontractor remains with the next higher-tier contractor on the basis of such audit.

Section 9-15.0008, the heading is revised to read as follows:

§ 9-15.0008 Negotiated fixed-price contracts where costs incurred are a factor in determining the amount payable.

§ 9-15.0008-1 [Amended]

§ 9-15.0008-1 *General policy*, in paragraph (a), line 4, the words "and subcontracts" are deleted.

(Sec. 161, Atomic Energy Act of 1954, as amended, 68 Stat. 948, 42 U.S.C. 2201; sec. 205, Federal Property and Administrative Services Act of 1949, as amended, 63 Stat. 390, 40 U.S.C. 486)

Effective date. These amendments are effective upon publication in the FEDERAL REGISTER.

Dated at Germantown, Md., this 17th day of June 1965.

For the U.S. Atomic Energy Commission.

R. J. HART,
Acting Director, Division of Contracts.

[F.R. Doc. 65-6646; Filed, June 23, 1965;
8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 923]

SWEET CHERRIES GROWN IN WASHINGTON

Proposed Approval of Expenses and Fixing of Rate of Assessment for 1965-66 Fiscal Year and Carryover of Unexpended Funds

Consideration is being given to the following proposals submitted by the Washington Cherry Marketing Committee, established under the marketing agreement and Order No. 923 (7 CFR Part 923) regulating the handling of sweet cherries grown in Washington, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof:

(a) That expenses that are reasonable and likely to be incurred by said committee, during the period beginning April 1, 1965, and ending March 31, 1966, will amount to \$7,845.

(b) That there be fixed, at \$1.00 per ton of sweet cherries, the rate of assessment payable by each handler in accordance with § 923.41 of the aforesaid marketing agreement and order.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals shall file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C., 20250, not later than the 10th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: June 21, 1965.

PAUL A. NICHOLSON,
Acting Director, Fruit and
Vegetable Division, Consumer
and Marketing Service.

[F.R. Doc. 65-6655; Filed, June 23, 1965;
8:49 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

[46 CFR Part 251]

UTILIZATION OF APPROPRIATIONS MADE AVAILABLE FOR CONSTRUCTION-DIFFERENTIAL SUBSIDY

Proposed Statement of General Policy

Pursuant to sec. 204(b), Merchant Marine Act, 1936, as amended (46 U.S.C.

1114) and in accordance with the provisions of sec. 3(a)(3), Administrative Procedure Act (5 U.S.C. 1002(a)(3)), notice is hereby given that the Maritime Subsidy Board is contemplating the adoption of a "Statement of General Policy" relative to its evaluation of applications for construction-differential subsidy.

While the subsidy program is exempt from the requirements of sec. 4, Administrative Procedure Act (5 U.S.C. 1003), the Board invites interested parties to submit any written data or views on the contemplated aforesaid policy for consideration by the Board, in triplicate, to the Secretary, Maritime Subsidy Board, Washington, D.C., 20235, by close of business on August 2, 1965.

Upon adoption by the Board of a "Statement of General Policy", the Board will publish same and thereafter apply the policy to future applications for construction-differential subsidy.

It is proposed that the following "Statement of General Policy" be added as Appendix No. 2 to § 251.1 of this part:

§ 251.1 Applications for construction-differential subsidy under Title V, Merchant Marine Act, 1936, as amended

1. The appropriations available for the payment of construction-differential subsidy by the Maritime Subsidy Board necessarily are limited. Present replacement program schedules for individual operators repeatedly have been revised and extended in recent years in accordance with the operating-differential subsidy contracts. It is possible that further delay will occur in the replacement of some of the vessels required to be replaced pursuant to the existing contractual obligations of those operators under operating-differential subsidy contracts with the Government. These standards are designed to provide better guidance for the operators and the Government in making the judgments necessary in selecting from among competing applications for limited funds. This policy statement is not intended to effect a reprogramming of funds presently appropriated to named operators contrary to their desire. It will apply prospectively only, in the request for and allocation of future appropriations and of funds subsequently made available by voluntary reprogramming of replacement schedules.

2. To provide for the maximum expansion of the American Merchant Marine, in number of vessels and shipping capability, the Board intends in allocating Federal financial assistance for construction or reconstruction of vessels to give priority to those proposals which it considers will utilize such appropriations to obtain the greatest shipping capability and productivity possible. In making its determinations under this policy, the Maritime Subsidy Board will consider the relative shipping capability it deems will result from proposals in terms of projected construction-differential subsidy, operating-differential subsidy and operator's return on investment.

Dated: June 22, 1965.

By order of the Maritime Subsidy Board.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 65-6705; Filed, June 23, 1965;
9:47 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 65-AL-8]

FEDERAL AIRWAY

Proposed Extension

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations that would extend Alaskan VOR Federal airway No. 444 from Fairbanks, Alaska, to Bettles, Alaska, via the intersection of the Fairbanks 307° T (279° M) and the Bettles 155° T (128° M) radials.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Alaskan Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 632 Sixth Avenue, Anchorage, Alaska, 99501. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

Effective July 22, 1965, V-444 will be extended from Fairbanks direct to Big Delta, Alaska. To provide route continuity with this extension, the airspace action set forth above is proposed. Further, it would provide a numbered airway between Fairbanks and Bettles for aircraft equipped with VOR navigation instruments.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on June 17, 1965.

H. B. HELSTROM,
Acting Chief, Airspace Regulations
and Procedures Division.

[F.R. Doc. 65-6621; Filed, June 23, 1965;
8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 65-WE-60]

TRANSITION AREA

Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would designate a transition area at Montrose, Colo.

The FAA, having completed a comprehensive review of the terminal airspace structure requirements in the Montrose, Colo., terminal area, including studies attendant to the implementation of the provisions of CAR Amendments 60-21/60-29, proposes the following airspace action:

Designate the Montrose transition area as that airspace extending upward from 700 feet above the surface within a 7-mile radius of Montrose County Airport (latitude 38°29'52" N., longitude 107°53'28" W.), and that airspace extending upward from 1,200 feet above the surface within 5 miles NE and 8

miles SW of a 315° bearing from the Montrose RBN (latitude 38°30'00" N., longitude 107°54'00" W.), extending from the RBN to 12 miles NW of the RBN.

This proposed transition area would provide protection for aircraft executing prescribed instrument procedures in the Montrose County terminal area.

The floors of the airways which traverse the transition area proposed herein would automatically coincide with the floors of the transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is con-

templated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public Docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 5651 West Manchester Avenue, Los Angeles, Calif., 90045.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348).

Issued in Los Angeles, Calif., on June 15, 1965.

JOSEPH H. TIPPETS,
Director, Western Region.

[F.R. Doc. 65-6622; Filed, June 23, 1965;
8:46 a.m.]

Notices

ATOMIC ENERGY COMMISSION

STATE OF TENNESSEE

Proposed Agreement for Assumption of Certain AEC Regulatory Authority

Notice is hereby given that the U.S. Atomic Energy Commission is publishing for public comment, prior to action thereon, a proposed agreement received from the Governor of the State of Tennessee for the assumption of certain of the Commission's regulatory authority pursuant to section 274 of the Atomic Energy Act of 1954, as amended.

A resume, prepared by the State of Tennessee and summarizing the State's proposed program, was also submitted to the Commission and is set forth below as an appendix to this notice. Attachments referenced in the appendix are included in the complete text of the program. A copy of the program, including proposed Tennessee regulations, is available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., or may be obtained by writing to the Director, Division of State and Licensee Relations, United States Atomic Energy Commission, Washington, D.C., 20545. All interested persons desiring to submit comments and suggestions for the consideration of the Commission in connection with the proposed agreement should send them, in triplicate, to the Secretary, U.S. Atomic Energy Commission, Washington, D.C., 20545, within 30 days after initial publication in the FEDERAL REGISTER.

Exemptions from the Commission's regulatory authority which would implement this proposed agreement, as well as other agreements which may be entered into under section 274 of the Atomic Energy Act, as amended, were published as Part 150 of the Commission's regulations in FEDERAL REGISTER issuance of February 14, 1962; 27 F.R. 1351. In reviewing this proposed agreement, interested persons should also consider the aforementioned exemptions.

Dated at Washington, D.C., this 28th day of May 1965.

For the Atomic Energy Commission.

W. B. McCool,
Secretary.

PROPOSED AGREEMENT BETWEEN THE UNITED STATES ATOMIC ENERGY COMMISSION AND THE STATE OF TENNESSEE FOR DISCONTINUANCE OF CERTAIN COMMISSION REGULATORY AUTHORITY AND RESPONSIBILITY WITHIN THE STATE PURSUANT TO SECTION 274 OF THE ATOMIC ENERGY ACT OF 1954, AS AMENDED

Whereas, the United States Atomic Energy Commission (hereinafter referred to as the Commission) is authorized under section 274 of the Atomic Energy Act of 1954, as amended (hereinafter referred to as the Act) to enter into agreements with the Governor of any state providing for discontinuance of

the regulatory authority of the Commission within the State under chapters 6, 7, and 8, and section 161 of the Act with respect to byproduct materials, source materials, and special nuclear materials in quantities not sufficient to form a critical mass; and

Whereas, the Governor of the State of Tennessee is authorized under section 53-3103 of the Tennessee Code Annotated to enter into this Agreement with the Commission; and

Whereas, the Governor of the State of Tennessee certified on May 1, 1965, that the State of Tennessee (hereinafter referred to as the State) has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by this Agreement, and that the State desires to assume regulatory responsibility for such materials; and

Whereas, the Commission found on ----- 1965, that the program of the State for the regulation of the materials covered by this Agreement is compatible with the Commission's program for the regulation of such materials and is adequate to protect the public health and safety; and

Whereas, the State and the Commission recognize the desirability and importance of cooperation between the Commission and the State in the formulation of standards for protection against hazards of radiation and in assuring that State and Commission programs for protection against hazards of radiation will be coordinated and compatible; and

Whereas, the Commission and the State recognize the desirability of reciprocal recognition of licenses and exemption from licensing of those materials subject to this Agreement; and

Whereas, this Agreement is entered into pursuant to the provisions of the Atomic Energy Act of 1954, as amended;

Now, therefore, it is hereby agreed between the Commission and the Governor of the State, acting in behalf of the State, as follows:

ARTICLE I

Subject to the exceptions provided in articles II, III, and IV, the Commission shall discontinue, as of the effective date of this Agreement, the regulatory authority of the Commission in the State under chapters 6, 7, and 8, and section 161 of the Act with respect to the following materials:

- A. Byproduct materials;
- B. Source materials; and
- C. Special nuclear materials in quantities not sufficient to form a critical mass.

ARTICLE II

This Agreement does not provide for discontinuance of any authority and the Commission shall retain authority and responsibility with respect to the regulation of:

- A. The construction and operation of any production or utilization facility;
- B. The export from or import into the United States of byproduct, source, or special nuclear material, or of any production or utilization facility.

C. The disposal into the ocean or sea of byproduct, source, or special nuclear waste materials as defined in regulations or orders of the Commission;

D. The disposal of such other byproduct, source, or special nuclear materials as the Commission from time to time determines by regulation or order should, because of the hazards or potential hazards thereof, not be so disposed of without a license from the Commission.

ARTICLE III

Notwithstanding this Agreement, the Commission may from time to time by rule, regulation, or order, require that the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear materials shall not transfer possession or control of such product except pursuant to a license or an exemption from licensing issued by the Commission.

ARTICLE IV

This Agreement shall not affect the authority of the Commission under subsection 161 b or l of the Act to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material.

ARTICLE V

The Commission will use its best efforts to cooperate with the State and other agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible. The State will use its best efforts to cooperate with the Commission and other agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that the State's program will continue to be compatible with the program of the Commission for the regulation of like materials. The State and the Commission will use their best efforts to keep each other informed of proposed changes in their respective rules and regulations and licensing, inspection and enforcement policies and criteria, and to obtain the comments and assistance of the other party thereon.

ARTICLE VI

The Commission and the State agree that it is desirable to provide for reciprocal recognition of licenses for the materials listed in article I licensed by the other party or by any agreement State. Accordingly, the Commission and the State agree to use their best efforts to develop appropriate rules, regulations, and procedures by which such reciprocity will be accorded.

ARTICLE VII

The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State, or upon request of the Governor of the State, may terminate or suspend this Agreement and reassert the licensing and regulatory authority vested in it under the Act if the Commission finds that such termination or suspension is required to protect the public health and safety.

ARTICLE VIII

This Agreement shall become effective on September 1, 1965, and shall remain in effect unless, and until such time as it is terminated pursuant to article VII.

POLICIES AND PROCEDURES FOR THE LICENSING AND REGULATION OF RADIOACTIVE MATERIALS

FOREWORD

These documents present a brief description of the practices, capabilities, and proposed activities of the Radiological Health Service, Tennessee Department of Public

Health, insofar as they would relate to assumption of certain regulatory functions of the U.S. Atomic Energy Commission.

Under section 274 of the Atomic Energy Act of 1954 as amended, the Atomic Energy Commission is authorized to enter into agreement with the Governor of a State, whereby it may transfer certain licensing and regulatory control of byproduct, source, and special nuclear materials, in quantities not sufficient to form a critical mass, to a State. Relinquishment of such authority by the Atomic Energy Commission and subsequent assumption by the State is made when the Atomic Energy Commission has evaluated and accepted the competency of the State to administer such licensing and regulatory authority; and certain authorities are reserved to the Atomic Energy Commission.

The Tennessee Act of 1957 entitled Atomic Energy and Nuclear Materials, as amended in 1961, authorizes the Governor of Tennessee to enter an agreement with the Atomic Energy Commission relating to the regulation of byproduct, source, and special nuclear material and to appoint a radiation advisory group. The Radiological Health Service Act of 1959 and as amended in 1961 and in 1963 designates the Tennessee Department of Public Health as the department responsible for the control of ionizing radiation; makes mandatory the registration of all sources of radiation except those which are licensed or exempted under the rules and regulations of the Tennessee Department of Public Health. Further the Radiological Health Service Act authorizes the department to formulate rules and regulations necessary for the control of ionizing radiation.

To this narrative are attached the Radiological Health Service Act, the Atomic Energy and Nuclear Materials Act, and the various rules, regulations, and outlines of proposed practices and activities to be undertaken by the Radiological Health Service, Tennessee Department of Public Health, pursuant to an agreement between the Atomic Energy Commission and the Governor of Tennessee.

History. The first attention given to problems created by ionizing radiation in Tennessee came in 1945 with the passage of the State Industrial Hygiene Service Act. Consideration was then given to industrial radiation exposures along with other problems of occupational health. This included problems of radiation exposures in the work areas from radiographic testing and exposures from X-ray machines as used in industrial clinics.

The next year, the U.S. Atomic Energy Act of 1946 was passed and with it came the civilian use of radioactive byproduct material. From the time the U.S. Atomic Energy Commission began to inspect the users of these materials, the State was interested, and when the Commission began to invite State officials along on inspection tours, State health personnel took advantage of the opportunity to see these installations and the uses to which radioisotopes were being applied.

To keep abreast of this newly developing field, members of the Industrial Hygiene Service attended various radiation courses offered by the U.S. Public Health Service. These courses varied from basic training in radiological health to more advanced courses in management of nuclear emergencies.

In 1951, a regulation was adopted to control the use of shoe fitting fluoroscopes. As a result, many users voluntarily chose to discontinue their use when advised of the potential hazard of excessive radiation exposure presented by these devices. By close surveillance, those remaining in service were brought into compliance with the regulation. This means of controlling the use of shoe fluoroscopes was considered appropriate at the time.

Recently, however, the Health Department was successful in having a law enacted mak-

ing the display or use of these machines illegal.

As time progressed, various attempts were made by the State Health Department to draft legislative bills which would provide specifically for control of all radiation sources.

A bill was passed by the General Assembly in 1957, but it did not provide for regulatory activities essential to a comprehensive State radiation control program.

This Act of 1957 was important in other ways, as it was primarily a declaration of State policy in support of peaceful uses of atomic energy. It provided for an advisory committee on atomic energy which would keep the Governor of the State informed on and encourage activity in, the various associated fields such as workmen's compensation, insurance, nuclear industry, nuclear education and health and safety. This Act was amended in 1961 to authorize the Governor to enter, at his discretion, an agreement with the U.S. Atomic Energy Commission.

At the next meeting of the General Assembly, 2 years later, the Health Department presented a bill which would provide for a comprehensive radiation control program. It would create within the Tennessee Department of Public Health, the Radiological Health Service. This bill was passed and contained, among others, the following provisions:

1. Created an agency whose sole function was radiation control activities.
2. Gave the Commissioner of Public Health authority to adopt rules and regulations which would have the effect of law and provided for inspection.
3. Required the registration of all owners and possessors of radiation sources.
4. As later amended, authorized the adoption of rules and regulations which would provide for licensing of radioactive materials and exempted them from registration.

Since enactment of this legislation, the Radiological Health Service has registered all known sources of radiation in the State, has inspected most of the radiation producing machines registered and made recommendations for correction where necessary. Follow-up programs were also conducted to determine compliance.

The scope of these activities can be illustrated by a consideration of the accelerated dental and medical X-ray survey programs which were followed during the summer months of 1961 through 1963. During that period, 1,100 dental X-ray units and approximately 1,500 medical X-ray units were inspected.

The Radiological Health Service has a well equipped radiological laboratory and is presently establishing calibration for the various instruments and will as soon as possible institute the various monitoring programs which are necessary to keep abreast of radiation in the environment.

PROGRAM DESCRIPTION

The Radiation Control Program will be conducted by the Radiological Health Service, Tennessee Department of Public Health.

Licensing and registration. The State Program will control all sources of ionizing radiation. Provisions have been made for the issuance of both specific and general licenses. The specific license will be issued to authorize possession of radioactive materials not exempted or generally licensed by the Department. Requirements for the possession of byproduct, source, and special nuclear materials will be comparable to those of the U.S. Atomic Energy Commission. In addition, regulations provide that the Department will require radioactive materials licenses for naturally occurring radioactive materials such as radium and accelerator-produced isotopes of nonexempt quantities. All other

sources of radiation such as medical and dental X-ray machines will be registered.

The licensing program will be essentially identical to that presently employed by the U.S. Atomic Energy Commission, and will cover post-licensing inspections. Prelicensing evaluations will be made when necessary. With respect to human use of radioactive materials, a committee of not less than three qualified physicians will be available for consultation and recommendations concerning license applications.

Inspection. The Tennessee Department of Public Health, Radiological Health Service, proposes to conduct future inspectional activities to determine compliance with State regulations and to determine adequacy of the licensee's radiation protection program. Inspections will be comparable to the type now undertaken by the Division of Compliance of the U.S. Atomic Energy Commission. Inspections will be performed by personnel qualified in radiological health. Competency in this field of work has been developed through joint participation of State health personnel with Atomic Energy Commission inspectors. It is estimated that the Tennessee Department of Public Health has been represented in 75 percent of all Atomic Energy Commission inspections made in Tennessee during the last 5 years.

The following frequency for the inspection of Tennessee licenses is planned but may be either increased or decreased depending upon individual circumstances:

- Industrial Radiographers—once each 6 months.
- Operations involving waste disposal—once each 6 months.
- Industrial, Special Licenses—once each 6 months.
- Industrial, Broad Licenses—once each 12 months.
- Academic—once each 24 months.
- Medical and Hospital—once each 24 months.
- Others—Based on hazards associated with the program.

Before the termination of each inspection, the inspector will confer with the licensee to discuss the results of his inspection, presenting tentative oral recommendations or suggestions. During this meeting he will answer questions on the regulatory program.

The inspector will submit in writing comprehensive reports to the Director of the Radiological Health Service relating facts and circumstances observed during the inspection. The report will enumerate violations, if any, and include recommendations. Recommendations made by field personnel will be subject to the critical review of senior members of the Radiological Health Service.

Licensees will be informed of the results of all inspections, orally at the time of inspection or by letter or notice from the department.

It is expected that most licensed activities will be inspected at least once in each 2 years. Most of the inspections will be scheduled visits, but a significant number may be on an unannounced basis.

Compliance. If only minor items of non-compliance, such as improper signs, failure to label, etc., are involved which the licensee agrees in writing to correct at the time of the inspection, no further action will be taken by the department, except that corrective action will be reviewed during the next inspection.

If the inspection reveals noncompliance of a more serious nature, the licensee will be required to correct such items within a time period to be specified by the department based upon the degree of hazard involved. The licensee will be required to inform the department in writing within 30 days, or less if specified, as to corrective action taken and the date completed. The department will then conduct a follow-up inspection or the matter will be reviewed during the next reg-

ular inspection to assure that corrective action has in fact been accomplished. The legal resources which may be taken by the Radiological Health Service are cited within the Tennessee Code Annotated.

Enforcement. When in the judgment of the Radiological Health Service a person is engaged or about to engage in acts or practices constituting a violation of the Act, rules, regulations or orders, the State's Attorney General may, at the request of the department, make application for a court order to enjoin such acts or practices or direct compliance.

Should the Radiological Health Service determine that an emergency exists, it shall have the authority to impound or to order the impounding of any source whether licensed or not in the possession of any person who is not equipped to observe or fails to observe the provisions of the Tennessee Act on Radiological Health or any rules and regulations issued thereunder. In the case of violation, section 53-3312 of the Tennessee Code Annotated provides for appropriate penalties by fine or imprisonment or both.

The full legal procedures normally will be employed only in those instances where there is continued noncompliance after notice, willful negligence on the part of the licensee, or where a serious potential hazard exists.

Of special importance is the provision under section 53-3307, Tennessee Code Annotated, which empowers the Commissioner of Public Health or his duly authorized representatives to enter upon any premises in the line of duty.

Staffing. The Radiological Health Service Act of 1959 gives the Commissioner of Public Health the responsibility for administering the Act.

Curtis P. McCammon, M.D., has been appointed by the Commissioner as Director of Radiological Health and Industrial Hygiene Services. Functionally the Service Director has been named by the Commissioner of Public Health to serve as the State's Radiation Control Officer. Administratively, the Director is responsible to Cecil B. Tucker, M.D., Director of the Division of Preventable Diseases.

Mr. J. A. Bill Graham, Assistant Director of Radiological Health and a Radiological Physicist, has technical and administrative supervision of the broad Radiation Control Program. Mr. Graham also is in charge of the licensing program and supervises the review and evaluation of applications for licenses.

Mr. Charles P. West, Radiological Physicist, with the assistance of Mr. Graham will conduct inspections and generally administer on site aspects of the licensing and regulatory program.

Assisting with the inspection of industrial licensees and registrants will be Industrial Hygiene Engineers of the Industrial Hygiene Service, their chief function being the inspection of specifically licensed industrial gauges.

As new radiological physicists are employed, they will assume duties in licensee inspection after receiving training in the broad aspects of the Radiation Control Program. Present plans provide for the hiring of two additional radiological physicists and one radiological chemist. The chemist will be engaged not only in sample preparation and counting, but also in the collection of environmental samples.

When replacement of present personnel is necessary or new personnel are employed, these will be required to have equivalent capabilities in radiological health now demonstrated by incumbent personnel.

Reciprocity. Regulations of the department provide for the recognition of licenses issued by the U.S. Atomic Energy Commission or other agreement states.

Hearings. Section 53-3306 of the Radiological Health Service Act provides for public participation, where appropriate, in the is-

suance of rules or regulations. Section 53-3307 of the Act provides that a recipient of a notice of violation of the Act or rules and regulations under the Act may request and receive a hearing by the Commissioner of Health.

Section 53-3307 further authorizes the issuance of an order which shall be effective immediately in those instances where the Radiological Health Service finds that immediate action is necessary to protect persons or property from radiation hazards. Emergency orders shall be complied with immediately upon receipt thereof; but the person affected may within 30 days after service of such an emergency order request and receive a hearing.

Any person aggrieved by an order issued under this section, after hearing, is entitled to judicial review thereof by a writ of certiorari as provided for by Tennessee law.

In any action by the department in granting, suspending or revoking a license, the Commissioner of Health will provide an opportunity for a hearing to any person whose interest may be affected.

[F.R. Doc. 65-5790; Filed, June 2, 1965; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Anchorage 060160]

ALASKA

Notice of Termination of Proposed Withdrawal and Reservation of Lands

JUNE 17, 1965.

Notice of an application, Serial No. Anchorage 060160, for withdrawal and reservation of lands was published as Federal Register Document 63-10944 on page 11083 of the issue for October 16, 1963. The applicant agency has canceled its application so far as it involves the lands described below. Therefore, pursuant to the regulations contained in 43 CFR Part 2311 (formerly 43 CFR Part 295), such lands will be, at 10 a.m., on June 28, 1965, relieved of the segregative effect of the above mentioned application.

The lands involved in this notice of termination are:

SNETTISHAM PROJECT

A strip of land, not exceeding 1 mile in width, extending from the west side of Speel River Arm to within 2 miles of the town of Juneau, Alaska.

The area described aggregates approximately 10,415 acres.

J. A. HAGANS,
Acting Manager, Anchorage
District and Land Office.

[F.R. Doc. 65-6631; Filed, June 23, 1965; 8:47 a.m.]

Office of the Secretary BUREAU OF COMMERCIAL FISHERIES

Departmental Manual; Delegation of Authority

The following material is a portion of the Departmental Manual and the numbering system is that of the Manual.

PART 241—BUREAU OF COMMERCIAL FISHERIES

CHAPTER 3—FEDERAL REGISTER DOCUMENTS

241.3.1 Delegation of authority. The Director, Bureau of Commercial Fisheries, is authorized, subject to those exceptions listed in 241 DM 3.2, to exercise all of the authority of the Secretary of the Interior to issue regulations relating to commercial fisheries (Title 50 CFR, Chapter II).

241.3.2 Exceptions. The Director, Bureau of Commercial Fisheries, is not authorized to issue the following types of amendments or additions to the Code of Federal Regulations:

A. Regulations regarding the issuance of cease and desist orders in cases involving monopoly or restraint of trade.

STEWART L. UDALL,
Secretary of the Interior.

JUNE 17, 1965.

[F.R. Doc. 65-6627; Filed, June 23, 1965; 8:46 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

AMERICAN CYANAMID CO.

Notice of Withdrawal of Petition for Food Additive Chlortetracycline

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 349(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), American Cyanamid Co. Agricultural Division, Post Office Box 400, Princeton, N.J., has withdrawn its petition (FAP 4C1442), published in the FEDERAL REGISTER of July 21, 1964 (29 F.R. 9808), proposing the amendment of § 121.208(d) to provide for the safe use of chlortetracycline in the feed of beef cattle by deleting from the "Limitations" column in table 6, items 4, 5, 6, 7, and 8, the words "not to be administered within 48 hours of slaughter" and concurrently the amendment of § 121.1014(d) to change the tolerance of 0.1 part per million to 1.0 part per million for residues of chlortetracycline in uncooked kidney, liver and muscle of beef cattle.

The withdrawal of this petition is without prejudice to a future filing.

Dated: June 17, 1965.

MALCOLM R. STEPHENS,
Assistant Commissioner
for Regulations.

[F.R. Doc. 65-6848; Filed, June 23, 1965; 8:48 a.m.]

CELANESE CORP. OF AMERICA

Notice of Filing of Petition for Food Additive 1,3-Butylene Glycol

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec.

409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 5A1781) has been filed by Celanese Corp. of America, 522 Fifth Avenue, New York, N.Y., 10036, proposing an amendment to § 121.1176 1,3-butylene glycol to provide for a change in existing specifications for 1,3-butylene glycol. As amended, the specific gravity of the additive would be from 1.004 to 1.006 at 20/20° C. and the distillation range would be from 200° C. to 215° C.

Dated: June 17, 1965.

MALCOLM R. STEPHENS,
Assistant Commissioner
for Regulations.

[F.R. Doc. 65-6649; Filed, June 23, 1965;
8:48 a.m.]

ELANCO PRODUCTS CO.

Notice of Withdrawal of Petition for Food Additive Tylosin

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Elanco Products Co., a Division of Eli Lilly & Co., Indianapolis, Ind., 46206, has withdrawn its petition (FAP 3D1095) published in the FEDERAL REGISTER of May 22, 1963 (28 F.R. 5097), proposing that § 121.217 Tylosin be amended to provide for the safe use of a free-choice protein feeding supplement containing tylosin for swine for growth promotion and feed efficiency.

The withdrawal of this petition is without prejudice to a future filing.

Dated: June 17, 1965.

MALCOLM R. STEPHENS,
Assistant Commissioner
for Regulations.

[F.R. Doc. 65-6650; Filed, June 23, 1965;
8:48 a.m.]

HERCULES POWDER CO.

Notice of Filing of Petition Regarding Pesticide Chemical and Food Additive DDT

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 408(d)(1), 409(b)(5), 68 Stat. 512, 72 Stat. 1786; 21 U.S.C. 346a(d)(1), 348(b)(5)), notice is given that a petition (PP 5F0435) has been filed by Hercules Powder Co., Inc., Wilmington, Del., 19899, proposing the establishment of a tolerance of 1.5 parts per million for residues of the insecticide DDT in or on threshed soybeans.

The petition (FAP 5H1772) also proposes the establishment of a food additive tolerance of 6 parts per million for residues of DDT in soybean oil as a result of carryover and concentration from application to the growing soybeans.

The analytical method proposed in the

petitions for determining residues of DDT is the gas chromatography method.

Dated: June 17, 1965.

MALCOLM R. STEPHENS,
Assistant Commissioner
for Regulations.

[F.R. Doc. 65-6651; Filed, June 23, 1965;
8:49 a.m.]

WALLACE & TIERNAN, INC.

Notice of Filing of Petition Regarding Pesticide Chlorosulfamic Acid

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 5F0451) has been filed by Wallace & Tiernan, Inc., Post Office Box 178, Newark, N.J., 07101, proposing the establishment of tolerances, expressed as sulfamic acid, for residues of sulfamate ion from postharvest application of the fungicide chlorosulfamic acid in or on the raw agricultural commodities named:

Eight parts per million in or on asparagus, carrots, cauliflower, celery, potatoes, and radishes.

The analytical method proposed in the petition for determining residues of sulfamic acid consists of reacting the residue in an acidified extract with a known amount of nitrite, followed by the colorimetric determination of the excess nitrite.

Dated: June 18, 1965.

MALCOLM R. STEPHENS,
Assistant Commissioner
for Regulations.

[F.R. Doc. 65-6652; Filed, June 23, 1965;
8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16060, 16061; FCC 65M-804]

CLAY COUNTY BROADCASTING CO. AND WILDERNESS ROAD BROADCASTING CO.

Order Scheduling Hearing

In re applications of John E. White, Calvin C. Smith, Jack C. Hall, and Cloyd Smith, doing business as Clay County Broadcasting Co., Manchester, Ky., Docket No. 16060, File No. BPH-4596; The Wilderness Road Broadcasting Co., Manchester, Ky., Docket No. 16061, File No. BPH-4655; for construction permits.

It is ordered, This 18th day of June 1965, that Thomas H. Donahue shall serve as the presiding officer in the above-entitled proceeding; that the hearings therein shall commence at 10 a.m., on September 16, 1965; and that a prehearing conference shall be convened at 9 a.m., on July 15, 1965; and, it is further ordered, That all proceedings

shall be held in the Offices of the Commission, Washington, D.C.

Released: June 21, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-6640; Filed, June 23, 1965;
8:48 a.m.]

[Docket No. 16059; FCC 65M-803]

OKLAHOMA PRESS PUBLISHING CO. (KBIX)

Order Scheduling Hearing

In re application of Oklahoma Press Publishing Co. (KBIX), Muskogee, Okla., Docket No. 16059, File No. BP-15844; for construction permit.

It is ordered, This 18th day of June 1965, that Forest L. McClenning shall serve as the presiding officer in the above-entitled proceeding; that the hearings therein shall commence at 10 a.m., on September 23, 1965; and that a prehearing conference shall be convened at 2 p.m., on July 28, 1965; and it is further ordered, That all proceedings shall be held in the Offices of the Commission, Washington, D.C.

Released: June 21, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-6641; Filed, June 23, 1965;
8:48 a.m.]

[Docket No. 16059; FCC 65-536]

OKLAHOMA PRESS PUBLISHING CO. (KBIX)

Memorandum Opinion and Order Designating Application for Hearing on Stated Issues

In re application of Oklahoma Press Publishing Co. (KBIX), Muskogee, Okla., Docket No. 16059, File No. BP-15844; has: 1490 kc, 250 w, U, Class IV; requests: 1490 kc, 250 w, 1 kw-LS, U, Class IV; for construction permit.

1. The Commission has before it for consideration (a) the above application; (b) a petition to deny, filed September 3, 1963, by Horace C. Boren, licensee of Station KMUS, Muskogee, Okla.; and (c) related pleadings.

Before the Commission are: (1) The aforementioned petition to deny; (2) an opposition thereto, filed Sept. 16, 1963, by the applicant; (3) a reply to the opposition, filed Sept. 26, 1963; (4) a supplement to petition to deny and an addendum thereto, filed Oct. 16 and 20, 1964, respectively, by Boren; (5) comments of the applicant, filed Oct. 30, 1964; (6) a reply and supplement thereto by Boren, filed Nov. 12 and 13, 1964; (7) a motion to strike, filed Nov. 17, 1964, by the applicant; (8) an opposition to the motion to strike, filed Nov. 24, 1964, by Boren; and (9) a reply to the opposition to strike, filed Nov. 25, 1964, by the applicant.

2. In view of the nature of this case, a brief summary of pertinent prior events is appropriate. The application was granted over the objection of Horace C. Boren on June 3, 1964. Thereafter, on June 24, 1964, in the U.S. Court of Appeals for the District of Columbia Circuit, Boren filed a notice of appeal² alleging, inter alia, that the Commission's action in granting the KBIX application " * * * was based upon an ex parte investigation and violated due process requirements." On July 1, 1964, the Commission adopted an order (FCC 64-605) vacating the grant pending further consideration of the application and instructing the General Counsel to move the Court for a remand of the case. By letter dated September 16, 1964, the Commission sent the parties a copy of the staff's investigation report³ and invited comments. Thereafter, the parties filed the pleading listed in footnote 1(5), et seq.

3. In his petition to deny and the supplement thereto, Boren claims that the KBIX proposal does not comply with § 73.24(g) of the Commission's rules because the population within the KBIX blanket area (1 v/m contour) exceeds the permissible number.⁴ Specifically, it is alleged that the population within the proposed 1 v/m contour would be 828. A maximum of only 417 would be permitted, since the proposal would encompass 41,748 persons within its 25 mv/m contour. Boren further alleges that, due to conditions in the vicinity of KBIX's rooftop antenna system, the KMUS signal is subject to extensive interference within the former's 1 v/m contour area and that this disruption of service would be greatly increased if KBIX is permitted to increase power to 1,000 watts. KBIX argues that the KMUS pleadings are procedurally defective; that the population within the 1 mv/m area is within the limits prescribed by § 73.24(g); and that Boren used unsound procedures in making his population and interference studies. The applicant further contends that whatever interference KMUS receives within the blanket area is minimal and that no complaints have been received in recent years. In its motion to strike the Boren reply and supplemental reply, filed November 12 and 13, 1964, KBIX asserts that the Commission's letter of September 16, 1964, invited only "comments" by Boren and "reply comments" by the applicant and that "reply comments" by Boren were neither requested nor authorized.

4. The KBIX claim that Boren's petition to deny is procedurally defective is based on § 1.580(d) of the rules which requires factual allegations—other than those of which official notice may be taken—to be supported by affidavit "of

a person or persons with personal knowledge thereof." It is clear that at least a portion of the KMUS engineering affidavit is deficient in that the engineer-affiant patently relies on Boren's population count. Thus, it can be said that certain factual allegations were unsupported by affidavit of a person with "personal knowledge thereof." This defect, however, is cured in the reply to KBIX's opposition, wherein Boren himself swears that "this detailed population count was carried out by me personally, under the direction and supervision of * * * a consulting radio engineer."

5. With respect to the applicant's attempt to strike Boren's reply and supplemental reply, the Commission finds that KBIX relies inordinately on a literal interpretation of the September 16 letter. However, the reply and its supplement are essentially cumulative and argumentative in nature. As such, they have no decisional significance and their content will be disregarded. Accordingly, it will be unnecessary to make a specific finding with respect to the motion to strike and it will be dismissed as moot.

6. With regard to the two central issues of the controversy—i.e., alleged interference to KMUS and potential violation of § 73.24(g)—the Commission finds, under section 309(d) of the Communications Act of 1934, as amended, that Boren has raised substantial and material questions of fact with respect to one issue but not the other. Station KMUS operates on 1380 and KBIX on 1490 kilocycles. Since the stations are separated in frequency by 110 kilocycles there can be no legally cognizable interference under the Commission's rules within the respective normally protected service areas. However, it is possible that the presence of a high-intensity signal in the order of 1 v/m may have a deleterious effect on the reception capability of radio receivers even though the undesired 1 v/m signal is removed in frequency by 110 kilocycles from the frequency of the desired station. In order to hold blanketing interference within reason, the Commission imposed a relative population limit within the pertinent contour. In the present case we have conflicting affidavits from both parties. KMUS alleges that the proposed 1 v/m contour would cover an area having a population of 828 persons. KBIX takes exception to KMUS's delineation of the area and steadfastly maintains that less than 300 persons are present. Both sets of pleadings contain affidavits from competent electrical engineers which cannot be reconciled. For this reason we believe that a bona fide dispute exists that cannot be resolved short of hearing.

7. Except as indicated by the issues below, the applicant is legally, technically, financially, and otherwise qualified to construct and operate as proposed. However, the Commission is unable to make the statutory findings that a grant of the application would serve the public interest, convenience, and necessity, and is of the opinion that it must be designated for hearing on the issues set forth below:

Accordingly, it is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the application is designated for hearing at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station KBIX and the availability of other primary service to such areas and populations.

2. To determine whether the proposed operation of Station KBIX is in compliance with § 73.24(g) of the Commission's rules concerning population within the 1 v/m contour and, if not, whether circumstances exist which would warrant a waiver of said Section.

3. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the application would serve the public interest, convenience, and necessity.

It is further ordered, That Horace C. Boren is made a party to the proceeding.

It is further ordered, That the petition to deny by Horace C. Boren is granted to the extent indicated above and is denied in all other respects.

It is further ordered, That the motion to strike by Oklahoma Press Publishing Co. is dismissed as moot.

It is further ordered, That, in the event of a grant of the application, the construction permit shall contain the following conditions:

Permittee shall accept such interference as may be imposed by existing 250-watt Class IV stations in the event they are subsequently authorized to increase power to 1,000 watts.

Permittee shall submit with the application for license antenna resistance measurements made in accordance with section 73.54 of the Commission's rules.

Permittee shall accept such interference as may be imposed in event KWRW, Guthrie, Okla., is subsequently authorized a daytime power increase from 100 watts to 500 watts.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicant and party respondent herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicant herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: June 16, 1965.

Released: June 18, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,⁵

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-6042; Filed, June 23, 1965;
8:48 a.m.]

⁵ Commissioner Cox absent.

² Horace C. Boren v. Federal Communications Commission, Case No. 18,722.

³ The report detailed the results of a field engineering survey of the population and alleged blanketing conditions within the KBIX 1 v/m contour.

⁴ Sec. 73.24(g) provides that an application will be granted only after a satisfactory showing that the population within the 1 v/m contour, if over 300 persons, does not exceed 1 percent of the population within the 25 mv/m contour.

[Docket Nos. 14368 etc.; FCC 65-527]

SYRACUSE TELEVISION, INC., ET AL.

Memorandum Opinion and Order
Remanding Proceeding

In re applications of Syracuse Television, Inc., Syracuse, N.Y., Docket No. 14368, File No. BPCT-2924; W.R.G. Baker Radio and Television Corp., Syracuse, N.Y., Docket No. 14369, File No. BPCT-2930; Onondaga Broadcasting, Inc., Syracuse, N.Y., Docket No. 14370, File No. BPCT-2931; WAGE, Inc., Syracuse, N.Y., Docket No. 14371, File No. BPCT-2932; Syracuse Civic Television Association, Inc., Syracuse, N.Y., Docket No. 14372, File No. BPCT-2933; Six Nations Television Corp., Syracuse, N.Y., Docket No. 14444, File No. BPCT-2957; Salt City Broadcasting Corp., Syracuse, N.Y., Docket No. 14445, File No. BPCT-2958; George P. Hollingbery, Syracuse, N.Y., Docket No. 14446, File No. BPCT-2968; for construction permits for new television broadcast stations.

1. The Commission has before it (a) a petition to vacate decision and reopen the record, jointly filed on February 23, 1965, by Syracuse Television, Inc. and five other of the above applicants; (b) the pleadings responsive or relating thereto; and (c) all other matters of record herein.

2. The Commission's decision in this proceeding was released on January 22, 1965; in brief, it granted the Baker application, and denied those of the eight other applicants seeking a construction permit for a new television broadcast station on Channel 9 in Syracuse, N.Y. Unknown to the Commission at the time of the grant to Baker was the fact that, on December 31, 1964, the State of New York had instituted a civil anti-trust proceeding against (among others) a number of New York State plumbing contractors, among them, the Edward Joy Co., which is almost wholly owned by the families of T. Frank Dolan, Jr., and Leonard P. Markert, two of Baker's principal stockholders.¹ Dolan and

Markert are two of five persons each owning 17.27 percent of Baker's stock, Dolan serving as president of Baker, and Markert serving as a vice president thereof.²

3. A copy of the New York complaint is attached to the joint petition to reopen. In general, it charges that the defendants have, for many years, agreed, arranged, and conspired among themselves and others to restrain competition in the building construction industry in the State of New York for the purpose of establishing and maintaining a monopoly in the industry. In furtherance of the alleged conspiracy, the defendants are said by the complaint to have engaged or participated in 18 acts or series of acts generally relating to the submission of bids for the plumbing work involved in public building construction projects; the classification of the type of work to be included in plumbing contracts; and the selling and/or installing of plumbing supplies, the prices to be charged therefor, and the circumstances under which such supplies should be sold and/or installed. Twelve specifications of damage are listed in the complaint, among them, that the State's awarding authority for the construction of academic facilities has suffered coercion, delays, and increased costs, and that competition in the sale and installation of plumbing equipment has been abridged and restrained. The complaint, which is verified by a Deputy Assistant Attorney General of the State of New York, seeks permanent injunctive and other curative relief, and monetary penalties for the alleged past violations of the applicable laws.

4. Based on the complaint, the petitioners seek a reopening of the record, a remand of the proceeding to the Hearing Examiner, and further hearing on issues inquiring as to Dolan's and Markert's involvement in the alleged misconduct; Baker's failure to notify the Commission of the complaint; and whether Baker possesses the requisite character qualifications to be a Commission licensee. Notwithstanding denials by Baker of any wrongdoing by the Joy Company or its officials, the Commission believes that the complaint raises serious public interest questions that can only be resolved through the hearing

of trade, or of using unfair methods of competition." The question was answered in the negative in Baker's original application, and Baker did not amend its application following the filing of the New York complaint, notwithstanding the provisions of sec. 1.65 of the Commission's rules.

It appears that Dolan has been president, treasurer, and a director of the Joy Company since 1936, and that he personally owns 7 percent of the company's stock. Markert has apparently never participated in the management of the Joy Company, and his personal holdings (if any) in the company are not disclosed in the original application. Markert's son, Leonard P. Markert, Jr., is said to be vice president, secretary, a director, and general manager of the company, and to have been active in the Syracuse Master Plumbers Association over the past 8 years. Both Markert, Jr., and the association are named as defendants in the complaint, although neither Dolan nor Markert, Sr., are

process. Accordingly, the Commission is granting the substance of the petition to reopen, and is remanding the proceeding to the Hearing Examiner for further hearing on issues essentially the same as those proposed by the petitioners.³

5. Although Baker suggests that its denials and affirmative showings are sufficient to warrant a rejection of the petition to reopen, it does not object to a further hearing. Its principal concerns are that the petitioners be required to assume the burden of proof as to the charges in the complaint; and that it be furnished, 30 days prior to the commencement of the formal hearing, with information as to the specific matters to be relied upon by the petitioners, the witnesses they intend to call, and the nature of the evidence to be offered. The Commission's Broadcast Bureau also contends for greater specificity, and would require the petitioners to support the petition to reopen, within 60 days, "with facts as to the nature and extent of the involvement of the principals of Baker in the allegations of unlawful conduct made by the State of New York."

6. The argument as to the "burden of proof" appears to be one of semantics only, since petitioners "adopt and offer to prove the charges in the complaint."⁴

7. The question as to the specificity of the petition and the complaint is only slightly more troublesome. A fair reading of the complaint (adopted in the petition) compels a conclusion that it is as specific as it can be without a revelation of the whole of the precise overt acts and evidence to be relied upon. And it may be noted here that Baker was able, in its verified answer, to make point-by-point denials of wrongdoing by the Joy Company—*notwithstanding its contention that "the New York State action makes no charges against the Edward Joy Co. which are sufficiently specific to inform it of any acts of wrongdoing."* But the foregoing is not to say that Baker must approach the further hearing without more complete information as to the witnesses to be called and the nature of the particular evidence to be presented. In the interests of fair play and orderly procedure, and to make the remand proceeding something more than a means of unduly extending the existing interim operation on Channel 9, the Commission believes it incumbent upon the petitioner to give Baker reasonable notice of the witnesses to be called and the matters as to which such witnesses will

¹ Unlike the petitioners' issues, however, the Commission's do not call for the Hearing Examiner to make a new comparative determination among the applicants. In light of the fact that a decision has already been rendered in the proceeding, it is more appropriate that the Hearing Examiner merely determine whether the evidence adduced makes advisable the selection of a new recipient for the permit.

² The Commission does not read petitioners' "offer to prove the charges in the complaint" as extending to the issue concerning Baker's failure to amend its application. With respect to this issue, and one (specified by the Commission) inquiring as to the relationship between Baker and the Joy Company, the Commission believes that the burden of proceeding with the evidence more appropriately belongs with Baker.

¹ The 5 other joint petitioners are Onondaga Broadcasting, Inc., WAGE, Inc., Syracuse Civic Television Association, Inc., Six Nations Television Corp., and George P. Hollingbery. Hereinafter, the applicants will usually be referred to in the abbreviated fashions utilized in the decision.

² The other pleadings are the verified answer and reply filed by Baker on Mar. 25, 1965; the response filed by the Commission's Broadcast Bureau on Mar. 26, 1965; the joint reply filed by the 6 joint petitioners on Apr. 16, 1965; and the statement of position filed by Salt City Broadcasting Corp. on Apr. 16, 1965.

³ The decision was released sub nom. Veterans Broadcasting Co., Inc., and is reported at 38 FCC 25 and 4 R.R. 2d 375. By order released Mar. 2, 1965, FCC 65-156, the Commission granted a petition by Veterans requesting a dismissal of its application with prejudice.

⁴ Question 10(e) of sec. II of the Commission's broadcast application form (Form FCC 301) inquires as to whether there is pending in any court or administrative body against the applicant or any party to the application, any action involving, among other things, "restraints and monopolies and combinations, contracts, or agreements in restraint

respectively be examined. The Commission reads petitioners' reply (par. 14) as agreeing to this procedure, their offer conditioned only on Baker's agreeing to follow the same procedure with respect to its case. The Commission anticipates no problem here, and leaves to the discretion of the Hearing Examiner the question of what constitutes reasonable notice.

8. In connection with the foregoing, the petitioners' reply indicates that the New York proceeding will commence shortly. If this be so, there would seem to be a good opportunity for the increased use of stipulations and other procedures designed to speed up the hearing process. Such procedures substantially shortened the previous hearing, and the Hearing Officer is urged again to make full use of his authority to utilize them, to the end that the hearing be expedited and kept within practicable limits.

9. The remaining question has to do with Salt City's right to participate in the further hearing. In brief, various of the parties have dropped Salt City from the caption of the proceeding on the theory that, because Salt City has neither sought reconsideration of the decision nor appealed it under section 402 of the Communications Act, it is no longer involved in the proceeding. These parties have overlooked the fact, however, that section 405 of the Act provides that appeals need not be taken until 30 days after Commission action on all petitions for reconsideration.* Consequently, Salt City, as much as the petitioners, is still in the case, with full rights of participation in the further hearing.

In view of the foregoing, *It is ordered*, This 16th day of June 1965, (a) that the Joint Petition to Vacate Decision and Reopen the Record, filed on February 23, 1965, by Syracuse Television, Inc. et al., is granted to the extent hereinabove indicated; (b) that the hearing record herein is reopened; and (c) that the proceeding is remanded, to the Hearing Officer who presided originally, for further hearing on the following issues:

(1) To determine whether the Edward Joy Co. or its owners, officers, directors, or other officials, have engaged in violations of the New York State antitrust laws or in other anticompetitive activities in the building construction and/or plumbing industries in the State of New York.

(2) To determine the relationship, in terms of ownership and/or control, between the Edward Joy Co. and the W.R.G. Baker Radio and Television Corp.

(3) To determine the circumstances regarding the failure of Baker to inform the Commission, pursuant to § 1.65 of the Commission's rules, of the filing of an antitrust complaint against the Edward Joy Co. by the State of New York.

(4) To determine, in light of the evidence adduced with respect to the preceding issues, whether Baker should be disqualified or, if not, whether a substantial demerit should be assessed against

this applicant, warranting a further comparative evaluation of the applications in this proceeding.

It is further ordered, That the burden of proof shall be on Baker, except that as to Issue (1), the burden shall be on the petitioners.

It is further ordered, That the Hearing Examiner make full use of his authority to utilize, among other procedures, pre-hearing conferences and the filing of stipulations as to facts and issues, with the objective of refining the issues, expediting the proceeding, and keeping the further hearing within practicable limits.

Released: June 17, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,*

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 65-6643; Filed, June 23, 1965;
8:48 a.m.]

[Docket Nos. 15841-15843; FCC 65M-805]

WTCN TELEVISION, INC. (WTCN-TV)
ET AL.

Order Continuing Hearing

In re applications of WTCN Television, Inc. (WTCN-TV), Minneapolis, Minn., Docket No. 15841, File No. BPCT-2850; Midwest Radio-Television, Inc. (WCCO-TV), Minneapolis, Minn., Docket No. 15842, File No. BPCT-3292; United Television, Inc. (KMSP-TV), Minneapolis, Minn., Docket No. 15843, File No. BPCT-3293; for construction permits.

It is ordered, This 21st day of June 1965, that because of the pendency of certain interlocutory pleadings before the Commission, Review Board, and Hearing Examiner, and as well as a conflict of hearing schedules, the hearing now scheduled for July 19, 1965, be and the same is hereby rescheduled for September 22, 1965, 10 a.m., in the Commission's Offices, Washington, D.C.;

It is further ordered, That respondents' replies or negative exhibits shall be exchanged on or before June 30, 1965, in lieu of June 23, 1965, and that the notification of witnesses desired for cross-examination shall be accomplished on or before September 1, 1965, in lieu of July 1, 1965.

Released: June 21, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 65-6644; Filed, June 23, 1965;
8:48 a.m.]

FEDERAL RESERVE SYSTEM

CITIZENS BANK

Order Approving Consolidation of Banks

In the matter of the application of Citizens Bank for approval of consolidation with Security State Bank, Gayville,

* Commissioner Cox absent; Commissioner Wadsworth not participating.

S. Dak., Farmers State Bank, and The Security State Bank.

There has come before the Board of Governors, pursuant to the Bank Merger Act of 1960 (12 U.S.C. 1828(c)), an application by Citizens Bank, Vermillion, S. Dak., a State member bank of the Federal Reserve System, for the Board's prior approval of the consolidation of that bank and Security State Bank, Gayville, S. Dak., Gayville, South Dakota, Farmers State Bank, Tabor, S. Dak., and The Security State Bank, Wakonda, S. Dak., under the charter and title of the applicant. As an incident to the consolidation, the four offices of the Gayville, Tabor, and Wakonda banks would be operated as branches of the applicant bank. Notice of the proposed consolidation, in form approved by the Board, has been published pursuant to said Act.

Upon consideration of all relevant material in the light of the factors set forth in said Act, including reports furnished by the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Attorney General on the competitive factors involved in the proposed consolidation,

It is hereby ordered, For the reasons set forth in the Board's Statement¹ of this date, that said application be and hereby is approved, provided that said consolidation shall not be consummated (a) within 7 calendar days after the date of this order or (b) later than 3 months after said date.

Dated at Washington, D.C., this 17th day of June 1965.

By order of the Board of Governors.*

[SEAL] MERRITT SHERMAN,
Secretary.

[P.R. Doc. 65-6612; Filed, June 23, 1965;
8:45 a.m.]

FEDERAL POWER COMMISSION

[Docket No. R165-635]

EL PASO NATURAL GAS PRODUCTS CO.

Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund

JUNE 16, 1965.

Respondent named herein has filed a proposed change in rate and charge of a currently effective rate schedule for the sale of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

¹ Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C., 20551, or to the Federal Reserve Bank of Minneapolis.

* Voting for this action: Chairman Martin, and Governors Robertson, Shephardson, Mitchell, Daane, and Maisel. Absent and not voting: Governor Balderston.

* See Florida Gulfcoast Broadcasters, Inc., FCC 62R-183, 24 R.R. 800.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column, and thereafter until made ef-

fective as prescribed by the Natural Gas Act: *Provided, however*, That the supplement to the rate schedule filed by Respondent shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondent shall execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the purchaser under the rate schedule involved. Unless Respondent is advised to the contrary within 15 days after the

filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before August 2, 1965.

By the Commission.

{SEAL} JOSEPH H. GUTHRIE,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual decrease	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed decreased rate	
RI65-635...	El Paso Natural Gas Products Co., ¹ Post Office Box 3986, Odessa, Tex., Attention: John A. Woodward, Vice-President and General Counsel.	8	10	El Paso Natural Gas Co. (acreage in San Juan County, N. Mex.) (San Juan Basin Area).	(\$241)	5-17-65	* 6-17-65	* 6-18-65	* 14.05363	** 12.0495	RI64-142.

¹ A wholly owned subsidiary of El Paso Natural Gas Co.

² The stated effective date is the first day after expiration of the required statutory notice.

³ The suspension period is limited to 1 day.

⁴ Renegotiated rate increase.

⁵ Pressure base is 15.025 p.s.i.g.

⁶ For gas well gas produced from the Gallup Formation only (the contract covers the sale of gas produced from the Dakota and Gallup Formations).

⁷ Includes 1.0 cent per Mcf minimum guarantee for liquids.

APPENDIX A

[Docket No. CP65-396]

MICHIGAN WISCONSIN PIPE LINE CO.

Notice of Application

JUNE 17, 1965.

Take notice that on June 11, 1965, Michigan Wisconsin Pipe Line Co. (Applicant), 1 Woodward Avenue, Detroit, Mich., 48226, filed in Docket No. CP65-396 an application pursuant to section 7(c) of the Natural Gas Act for a certificate authorizing the construction and operation of 12.2 miles of 12-inch loop and 26.0 miles of 16-inch loop line on its lateral extending to Madison, Wis., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the proposed facilities would complete the looping of its Madison lateral and are required to correct low-pressure conditions experienced during the 1964-65 heating season and to assure continuity of firm service to communities served from the line. No new service is proposed as a result of the construction.

The estimated cost of construction of the new facilities is \$1,925,000, which is to be financed as a part of Applicant's overall financing program which will utilize bank loans after the expenditure of treasury funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before July 15, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, and the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTHRIE,
Secretary.

[F.R. Doc. 65-6025; Filed, June 23, 1965; 8:46 a.m.]

El Paso Natural Gas Products Co.'s (Products Company) renegotiated rate decrease consists of a 1.0 cent reduction and elimination of a 1.0 cent per Mcf guarantee for liquids. Products Company's wells produce from the Dakota and Gallup formations. Due to pressure difficulties concerning the Gallup gas wells the parties agreed to a 1.0 cent per Mcf reduction in price and deletion of a contractually provided 1.0 cent per Mcf minimum guarantee for liquids as consideration for reduction in line pressure from 500 p.s.i.g. to 250 p.s.i.g. The agreement pertains only to the sale of gas produced from the Gallup formation. Products Company's notice of change constitutes a decrease in rate from 14.053625 cents* to 12.0495 cents per Mcf for the Gallup formation low pressure gas. While the proposed rate of 12.0495 cents per Mcf is below the San Juan Basin area ceiling for increased rates, in light of the pressure reduction the gas involved here is not considered to be of pipeline quality within the meaning of the policy statement. Taking into account this reduction in pressure the proposed decreased rate may exceed on a comparable basis the ceiling for pipeline quality gas in this area, and therefore should be suspended for one day as hereinbefore ordered.

[F.R. Doc. 65-6565; Filed, June 23, 1965; 8:45 a.m.]

* Previously suspended and is in effect subject to refund in Docket No. RI64-142.

[Docket No. G-10843 etc.]

THOMAS N. BERRY & CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service, and Petitions To Amend Certificates¹

JUNE 15, 1965.

Thomas N. Berry & Co. (Operator), et al. (successor to Barrett Petroleum Co.), and other applicants listed herein, Docket Nos. G-10843, et al.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the Rules of Practice and Procedure (18 CFR 1.8 or 1.10) on or before July 8, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however*, That pursuant to § 2.56, Part 2, Statement of General Policy and Interpretations, Chapter I of Title 18 of the Code of Federal Regulations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after April 15, 1965, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed herein for the filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-10843- E 6-7-65	Thomas N. Berry & Co. (Operator), et al. (successor to Barrett Petroleum Co.), Post Office Box 111, Stillwater, Okla.	Cities Service Gas Co., Eureka Field, Grant County, Okla.	12.25 10.75	14.65
CI65-494- D 6-7-65	Allen Burr (Operator), et al., 2205 South Coast Bldg., Houston, Tex., 77002 (partial abandonment).	Syljo Gas Co., North Fannin Field, Goliad County, Tex.	Depleted	
CI61-219- E 6-1-65	Hal Bogie, et al., (successor to E. P. Campbell), c/o W. L. Smith, agent, Box 763, Hobbs, N. Mex.	El Paso Natural Gas Co., Jalmat Pool, Lea County, N. Mex.	9.0	14.65
VI62-951- E 6-1-65	Tesco Petroleum Corp. (successor to The Textar Corp.), 2008 National Bank of Commerce Bldg., San Antonio 5, Tex., 78205.	American Louisiana Pipe Line Co., W. Little Chenier Perdue Field, Cameron Parish, La.	22.25	15.025
CI63-265- C 6-8-65	Forest Oil Corp., et al., 1800 National Bank of Commerce Bldg., San Antonio, Tex., 78205.	Michigan Wisconsin Pipe Line Co., Wheelock Unit, Woodward County, Okla.	30.495	14.65
CI63-337- C 6-7-65	Pan American Petroleum Corp., Post Office Box 591, Tulsa, Okla., 74102.	Michigan Wisconsin Pipe Line Co., Woodward Gas Area, Woodward County, Okla.	21.545	14.65
CI65-616- C 6-8-65	BTA Oil Producers (Operator), et al., 104 South Pecon, Midland, Tex.	El Paso Natural Gas Co., Spraberry Trend Area, Reagan County, Tex.	16.0	14.65
CI65-671- C 6-8-65	John L. Cox (Operator), et al., 305 V & J Tower, Midland, Tex.	El Paso Natural Gas Co., Roeker B. Ranch Area, Reagan County, Tex.	16.0	14.65
CI65-629- C 6-7-65	Tamco Oil Co., Post Office Box 2511, Houston, Tex., 77001.	Tennessee Gas Transmission Co., Ellis Field, Acadia Parish, La.	19.5	15.025
CI65-1264- A 6-3-65	The Pure Oil Co., 200 East Golf Rd., Palatine, Ill., 60067.	Arkansas Louisiana Gas Co., Southeast Ames Field, Major County, Okla.	15.0	14.65
CI65-1265- A 5-28-65	Texas Gas Exploration Corp., 1111 First City National Bank Bldg., Houston, Tex., 77002.	Texas Gas Transmission Corp., Midland Field, Muhlenberg County, Ky.	15.0	15.025
CI65-1266- A 6-4-65	Carl Perkins, d.b.a. Flanagan Lease, R.F.D. 3, Pennsboro, W. Va., 26415.	Equitable Gas Co., Clay District, Ritchie County, W. Va.	25.0	15.325
CI65-1267- A 6-3-65	Sinclair Oil & Gas Co. (Operator), et al., Post Office Box 521, Tulsa, Okla., 74102.	El Paso Natural Gas Co., Kansas Hugoton and Panama-Council Grove Fields, Grant and Stanton Counties, Kans.	15.0	14.65
CI65-1268- A 6-3-65	Sun Oil Co. (SW Division), 1605 Walnut St., Philadelphia, Pa., 19103.	Lone Star Gas Co., Shamburger Lake Field, Smith County, Tex.	14.49	14.65
CI65-1269- A 6-4-65	C. Arnold Brown, 913 Kennedy Bldg., Tulsa, Okla.	Cities Service Gas Co., North Hardtner Field, Barber County, Kans.	14.0	14.65
CI65-1270- A 6-4-65	Edwin G. Bradley, 825 Union Center Bldg., Wichita, Kans., 67202.	Panhandle Eastern Pipe Line Co., Lerado Field, Reno County, Kans.	13.0	14.65
CI65-1271- B 6-3-65	Sinclair Oil & Gas Co. (Operator), et al., Post Office Box 521, Tulsa, Okla., 74102.	Cities Service Gas Co., Kansas-Hugoton Field, Grant and Stanton Counties, Kans.	(B)	
CI65-1272- A 6-3-65	James G. Maynard, d.b.a. Maynard Oil Co. (Operator), et al., c/o John H. MacDonald, agent, 2715 Mercantile Bank Bldg., Dallas, Tex., 75201.	Natural Gas Pipeline Co. of America, acreage in Wise County, Tex.	16.0	14.65
CI65-1273- A 6-4-65	Edwin L. Cox, 2100 Adolphus Tower, Dallas, Tex., 75202.	Natural Gas Pipeline Co. of America, acreage in Beaver County, Okla.	17.0	14.65
CI65-1274- A 6-4-65	Anadarko Production Co., Post Office Box 351, Liberal, Kans., 67901.	Natural Gas Pipeline Co. of America, S. E. Boyd Field, Beaver County, Okla.	17.0	14.65
CI65-1275- A 6-4-65	Sinclair Oil & Gas Co., Post Office Box 521, Tulsa, Okla., 74102.	Cities Service Gas Co., Bishop Field, Ellis County, Okla.	17.0	14.65
CI65-1276- A 6-4-65	Anadarko Production Co., Post Office Box 351, Liberal, Kans., 67901.	Kansas-Nebraska Natural Gas Co., Inc., Dombey Field, Beaver County, Okla.	11.0 15.0	14.65
CI65-1277- B 6-4-65	H. N. Rinehart, Helms, c/o E. D. Rinehart, agent, Cairo, W. Va.	Consolidated Gas Supply Corp., Grant District, Ritchie County, W. Va.	Uneconomical	
CI65-1278- A 6-7-65	Thomas E. Berry, Post Office Box 528, Stillwater, Okla., 74074, and C. R. Walbert, 2821 First National Bldg., Oklahoma City, Okla., 73102.	Arkansas Louisiana Gas Co., Acreage in Haskell County, Okla.	15.0	14.65
CI65-1279- A 6-7-65	Carl E. Gungoll and Henry H. Gungoll, Post Office Box 581, Enid, Okla.	Panhandle Eastern Pipe Line Co., South Teagarden Field, Woods County, Okla.	17.0	14.65
CI65-1280- F 5-21-65	Pubeo Petroleum Corp. (successor to Betty Jean Mudge Stahl, et al.), Post Office Box 1419, Albuquerque, N. Mex., 87103.	El Paso Natural Gas Co., Aztec Pictured Cliffs Formation Gas Field, San Juan County, N. Mex.	10.0	15.025
CI65-1281- A 6-7-65	William I. Forbes, et al., 846 Maplewood Rd., Wayne, Pa.	Consolidated Gas Supply Corp., DeKalb District, Giltner County, W. Va.	25.0	15.325
CI65-1282- B 5-28-65	Nafco Oil and Gas Inc., 922 Americana Bldg., Houston, Tex., 77002.	Kansas-Nebraska Natural Gas Co., Inc., Minto Field, Logan County, Colo.	Uneconomical	
CI65-1283- A 6-7-65	Tenneco Oil Co., Post Office Box 2511, Houston, Tex., 77001.	Mississippi River Transmission Corp., Woodlawn Field, Harrison County, Tex.	15.0	14.65

Filing Code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

¹ This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI65-1284 A 6-7-65	Thomas E. Berry, Post Office Box 528, Stillwater, Okla., 74074, and C. R. Walbert, 2821 First National Bldg., Oklahoma City, Okla., 73102.	Arkansas Louisiana Gas Co., Acreage in LeFlore County, Okla.	15.0	14.65
CI65-1285 A 6-9-65	A. J. Curtis, et al., c/o W. J. Fellers, eighth floor, Amarillo Bldg., Amarillo, Tex.	Kansas-Nebraska Natural Gas Co., Inc., Dombey Field, Texas County, Okla.	15.0	14.65
CI65-1286 A 6-9-65	Rincon Oil & Gas Corp., 1126 Mercantile Securities Bldg., Dallas, Tex., 75201.	El Paso Natural Gas Co., Dakota Field, Rio Arriba County, N. Mex.	13.0	15.025
CI65-1287 B 6-7-65	W. A. Box & Claude L. Box, d.b.a. W. A. Box & Son equipment Co., 1701 Hampton Dr., Wichita Falls, Tex.	Transwestern Pipeline Co., Acreage in Lipscomb County, Tex.	(11)	
CI65-1288 B 6-9-65	The Jupiter Corp., 510 Texas National Bank Bldg., Houston, Tex.	Texas Eastern Transmission Corp., West Weesatche Field, Goliad County, Tex.	Depleted	
CI65-1289 B 6-7-65	J. C. Trahan, Drilling Contractor, Inc. (Operator), et al., 2625 Line Ave., Shreveport, La.	United Gas Pipe Line Co., Ansley Field, Hancock County, Miss.	Depleted	
CI65-1290 B 6-7-65	The Tarpon Oil Corp., 2625 Line Ave., Shreveport, La.	do	(16)	
CI65-1291 B 6-7-65	J. C. Trahan, Drilling Contractor, Inc. (Operator), et al., 2625 Line Ave., Shreveport, La.	The Tarpon Oil Corp., Ansley Field, Hancock County, Miss.	Depleted	

¹ Lewis A. Lease.

² Lewis B. Lease.

³ Effective rates subject to refund in Docket No. G-20435.

⁴ Consolidated with G-13221, et al.

⁵ Includes 1.50 cents per Mcf tax reimbursement.

⁶ Rate in effect subject to refund in Docket No. RI62-358.

⁷ Adds acreage acquired from Shell Oil Co., Docket No. CI61-524.

⁸ Includes 1.0 cent adjustment for B.T.U. content and 1.045 cents tax reimbursement.

⁹ Includes 0.49 cent per Mcf tax reimbursement.

¹⁰ Contract has expired. Applicant has contracted with another purchaser.

¹¹ Includes 0.0075 cent estimated B.T.U. adjustment and 0.0025 cent per Mcf dehydration adjustment.

¹² Above base of Wolfcampian.

¹³ Below base of Wolfcampian.

¹⁴ Certificated under Docket No. G-19795—E. W. Mudge, Jr., et al.

¹⁵ Successor in interest to Armour Properties.

¹⁶ Operation of lease has resulted in a monthly loss.

¹⁷ Producing properties assigned to purchaser.

[P.R. Doc. 65-6566; Filed, June 23, 1965; 8:45 a.m.]

[Docket No. G-6080 etc.]

SHARPLES AND CO. PROPERTIES ET AL.

Notice of Applications

JUNE 17, 1965.

Sharples and Co. Properties (Operator) et al. (successor to Williams Brothers Co.), Docket No. G-6080; Pan American Petroleum Corp. (successor to Williams Brothers Co.), Docket No. G-7500; Williams Brothers Co. (successor to Sharples and Co. Properties (Operator) et al.), Docket No. CI63-202; Williams Brothers Co. (successor to Pan American Petroleum Corp.), Docket No. CI65-135.

Take notice that Applicants herein have filed applications pursuant to section 7(c) of the Natural Gas Act for authorization to sell natural gas from various portions of the W $\frac{1}{2}$, section 48, township 5 South, T & P Railway Survey, block 37, Reagan County, Tex., from the surface to the base of the Lower Spraberry Formation which properties have been acquired by Applicants as a result of a cross-assignment between the Sharples Oil Corp. (succeeded to by Sharples and Co. Properties) and Hudson Oil & Metals Co. (succeeded to first by W. H. Hudson Co. and then by Williams Brothers Co.) and between Hudson Oil & Metals Co. and Pan American Petroleum Corp. All sales are to El Paso Natural Gas Co. Details of the subject applications are more fully set forth in the applications which are on file with the Commission and open to public inspection.

No. 121—5

On November 16, 1964, Sharples filed in Docket No. G-6080 an application, together with related rate schedule supplements, to amend the order issuing a certificate of public convenience and necessity in said docket to reflect the conveyance to Williams of an undivided one-half interest in the N $\frac{1}{2}$ NW $\frac{1}{4}$ and the addition of an undivided one-half interest in the S $\frac{1}{2}$ NW $\frac{1}{4}$ acquired from Williams. Sales from the acquired acreage have heretofore been authorized in Docket No. CI63-202. The predecessor's presently effective rate is 11.0 cents per Mcf at 14.65 p.s.i.a.

On August 17, 1964, Williams filed in Docket No. CI63-202 an application together with related rate schedule supplements, to amend the order issuing a certificate of public convenience and necessity in said docket to reflect the conveyance to Sharples of an undivided one-half interest in the S $\frac{1}{2}$ NW $\frac{1}{4}$ and the addition of an undivided one-half interest in the N $\frac{1}{2}$ NW $\frac{1}{4}$ acquired from Sharples. Sales from the acquired acreage have heretofore been authorized in Docket No. G-6080. The predecessor's presently effective rate is 10.0 cents per Mcf at 14.65 p.s.i.a.

On July 20, 1964, Williams filed in Docket No. CI65-135 an application, together with a related rate schedule and supplements, for a certificate of public convenience and necessity to reflect the conveyance to Pan American of an undivided one-half interest in the N $\frac{1}{2}$ SW $\frac{1}{4}$ and the acquisition from Pan American of an undivided one-half interest in the S $\frac{1}{2}$ SW $\frac{1}{4}$. Sales from the acquired acreage have heretofore been authorized in

Docket No. G-7500. Williams has filed Pan American's contract as its rate schedule for sales from the acquired acreage. Pan American's presently effective rate is 18.243 cents per Mcf at 14.65 p.s.i.a. in effect subject to refund in Docket No. RI65-111.

On March 20, 1961, Pan American filed in Docket No. G-7500 an application together with related rate schedule supplements, to amend the order issuing a certificate of public convenience and necessity in said docket to reflect the conveyance to Williams of an undivided one-half interest in the S $\frac{1}{2}$ SW $\frac{1}{4}$, the acquisition from Williams of an undivided one-half interest in the N $\frac{1}{2}$ SW $\frac{1}{4}$, and the deletion of the acquired interest from Williams's contract and the addition thereof to Pan American's contract. Sales from the acquired acreage have heretofore been authorized in Docket No. CI63-202. The predecessors' presently effective rate is 11.0 cents per Mcf at 14.65 p.s.i.a.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 15, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificate or certificate amendments is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[P.R. Doc. 65-6626; Filed, June 23, 1965; 8:46 a.m.]

[Docket No. E-7227]

CAROLINA POWER & LIGHT CO. AND SOUTH CAROLINA ELECTRIC & GAS CO.

Notice of Application

JUNE 17, 1965.

Take notice that on June 10, 1965, a joint application was filed with the Federal Power Commission by Carolina Power & Light Co., (Carolina Power) and South Carolina Electric & Gas Co. (South Carolina Electric), seeking an order, pursuant to section 203 of the Federal Power Act authorizing the sale by Carolina Power of certain of its electrical transmission facilities to South Carolina Electric.

Carolina Power is incorporated under the laws of the State of North Carolina

with its principal business office at Raleigh, N.C., and is engaged in the generation, transmission, distribution, and sale to the public of electricity as a public utility in various parts of the States of North Carolina and South Carolina. Its service territory presently embraces all or part of 49 counties in North Carolina and 13 counties in South Carolina.

South Carolina Electric is incorporated under the laws of the State of South Carolina with its principal business office at Columbia, S.C., and renders electric service to the public in the central, southeastern, and southwestern sections of North Carolina comprising about 40 percent of the geographical area of the State including parts or all of 24 counties in South Carolina. It also renders natural gas service to the public in the cities of Charleston and Columbia and their environs.

Carolina Power proposes to transfer to South Carolina Electric the following described facilities: 39 miles of transmission line facilities extending from the switchyard structure of South Carolina Electric's Saluda hydroelectric plant to the midpoint of the line span crossing the Wateree River, including all wood poles and two steel towers, 35½ miles of 397,500 CM, 27/6 ACSR conductor, 3½ miles of 4/0, 12-strand copper conductor, 39 miles of two ½" S.M. overhead ground wires for lightning protection, all hardware and support wires attached to the structures, together with all right-of-way easements owned by the company and upon which said line is located. According to the application, the consideration for the proposed transfer will be \$331,000.

The above-described facilities constitute a 115 kv transmission line. They have been and are being used for the interchange of electricity between the systems of Carolina Power and South Carolina Electric. According to the application, after the proposed sale, the proposed use of the facilities will be generally the same as the present use thereof and for the transmission of electricity by South Carolina Electric within its own system. The application states that the above-described facilities lie wholly within the service territory of South Carolina Electric and it is anticipated that when they are integrated with South Carolina Electric's other facilities, they can be maintained and operated more efficiently and effectively for the transmission of electricity within South Carolina Electric's own system and for the interchange of electricity between the systems of South Carolina Electric and Carolina Power. According to the application, the sale of the facilities to South Carolina Electric will relieve Carolina Power of substantial annual expenses in the operation and maintenance thereof.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 7, 1965, file with the Federal Power Commission, Washington, D.C., 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIE,
Secretary.

[F.R. Doc. 65-6623; Filed, June 23, 1965;
8:46 a.m.]

[Docket No. RI65-633 etc.]

HANLEY CO. ET AL.

Order Accepting Rate Filing, Providing for Hearings on and Suspension of Proposed Changes in Rates¹

JUNE 16, 1965.

Hanley Co. et al. (and other Respondent listed herein), Docket No. RI65-633, et al.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are designated as follows:

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI65-633...	Hanley Co., et al., 400 Davis Bldg., Dallas, Tex., 75202, Attention: Mr. E. R. Barry.	35	14	El Paso Natural Gas Co. (Spraberry Area, Reagan County, Tex.).	\$2,191	5-19-65	6-19-65	Accepted	11.0	** 16.216	
		35	5	(R.R. District No. 7-c) (Permian Basin Area).		5-19-65	6-19-65	11-19-65			
RI65-634...	Graham-Michaels Drilling Co., 211 North Broadway, Wichita, Kans., 67202.	35	3	Northern Natural Gas Co. (Hansford Morrow Field, Hansford County, Tex.) (R.R. District No. 10).	1,725	5-21-65	6-25-65	11-25-65	* 16.5	** 17.5	

¹ Agreement dated Oct. 20, 1964, which provides for instant rate and 1.0 cent per Mcf increase for 3-year period following Aug. 1, 1966, and each succeeding 5-year period commencing Aug. 1, 1969; deletes indefinite pricing provisions; revises effective date of tax reimbursement increases from date of contract to Jan. 1, 1950; adds provisions covering operations of properties under unitization agreement.

² The stated effective date is the effective date proposed by respondent.

³ Renegotiated rate increase.

⁴ Pressure base is 14.65 p.s.i.a.

⁵ Periodic rate increase.

⁶ Subject to a downward B.T.U. adjustment.

⁷ The stated effective date is the first day after expiration of the required statutory notice.

Hanley Co. et al. (Hanley), tendered for filing an Agreement dated October 20, 1964, as part of their renegotiated rate increase suspended herein. The Agreement provides for the instant increased rate and 1.0 cent per Mcf increase for 3-year period following August 1, 1966, and each succeeding 5-year period commencing August 1, 1969; deletes indefinite pricing provisions; revises effective date of tax reimbursement increases from date of contract to January 1, 1950; adds provisions covering operations of properties under unitization agreement. Said Agreement has been designated as Supplement No. 4 to Hanley's FPC Gas Rate Schedule No. 35 and should be accepted for filing as hereinafter ordered.

Hanley and Graham-Michaels Drilling Co.'s proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR Ch. I, Part 2, § 2.56).

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Good cause has been shown that the Agreement dated October 20, 1964, designated as Supplement No. 4 to Hanley's FPC Gas Rate Schedule No. 35, should be accepted for filing and permitted to become effective as of June 19, 1965, the date of expiration of the required statutory notice.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provision of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Supplement No. 4 to Hanley's FPC Gas Rate Schedule No. 35 is hereby

accepted for filing and permitted to become effective as of June 19, 1965.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the Regulations under the Natural Gas Act (18 CFR Ch. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in the above-designated supplements.

(C) Pending hearings and decisions thereon, the above-designated rate supplements are hereby suspended and the use thereof deferred until the date indicated in the above "Date Suspended Until" column, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

¹ Does not consolidate for hearing or dispose of the matters herein.

(D) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(E) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37 (f)) on or before August 16, 1965.

By the Commission.

[SEAL] JOSEPH H. GUTRIE,
Secretary.

[F.R. Doc. 65-6568; Filed, June 23, 1965;
8:45 a.m.]

[Docket No. RP 64-9 etc.]

CITIES SERVICE GAS CO. ET AL.

Notice of Further Extension of Time

JUNE 17, 1965.

Cities Service Gas Co., Docket No. RP64-9; Columbian Fuel Corp., Docket Nos. RI61-316, RI61-518, RI62-49; Cities Service Oil Co., Docket Nos. RI63-485, RI65-269.

Upon consideration of the status of the above-designated matters and the extension heretofore granted by notice issued May 25, 1965, extending the time within which to file testimony and exhibits;

Notice is hereby given that a further extension of time is granted to and including July 19, 1965, within which staff counsel shall serve its testimony and exhibits on all parties; and to and including August 2, 1965, within which intervenors proposing to present evidence on the affiliated purchased gas cost issue shall serve their testimony and exhibits upon all parties.

Further, notice is hereby given that the prehearing conference presently scheduled to commence on July 13, 1965, is postponed to August 12, 1965, at 10 a.m., in a hearing room of the Federal Power Commission, 441 G Street N.W., Washington, D.C.

By direction of the Commission.

JOSEPH H. GUTRIE,
Secretary.

[F.R. Doc. 65-6624; Filed, June 23, 1965;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 784]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FOR- WARDER APPLICATIONS

JUNE 18, 1965.

The following applications are governed by Special Rule 1.247¹ of the Com-

¹ Copies of Special Rule 1.247 can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C., 20423.

mission's general rules of practice (49 CFR 1.247), published in the FEDERAL REGISTER, issue of December 3, 1963, effective January 1, 1964. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.40 of the general rules of practice which requires that it set forth specifically the grounds upon which it is made and specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and six (6) copies of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such request shall meet the requirements of § 1.247(d)(4) of the special rule. Subsequent assignment of these proceedings for oral hearing, if any, will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 409 (Sub-No. 22), filed June 1, 1965. Applicant: O. E. POULSON, INC., Elm Creek, Nebr. Applicant's attorney: J. Max Harding, Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Commodities* in bulk, and *damaged or rejected shipments* of the above specified commodities, between points in Nebraska. Note: Applicant states the above proposed operation will be restricted against the movement of petroleum products in bulk; against the movement of fertilizer or fertilizer mixtures from LaPlatte, Nebr.; and against the movement of inedible animal fats and blends thereof, from points in Nebraska to Omaha and Nebraska City, Nebr. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 1150 (Sub-No. 28), filed May 27, 1965. Applicant: HEEREN TRUCKING COMPANY, INC., 114 Second Avenue, East, Lemmon, S. Dak. Applicant's attorney: Ronald R. Johnson (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Aberdeen, S. Dak., and points within fifteen (15) miles thereof, to points in Slope, Bowman, Hettinger, Adams, Grant, Sioux,

Emmons, Logan, and McIntosh Counties, N. Dak., and *rejected shipments* of the commodities specified above on return. Note: If a hearing is deemed necessary, applicant requests it be held at Pierre, S. Dak.

No. MC 1641 (Sub-No. 65), filed May 27, 1965. Applicant: PEAKE TRANSPORT SERVICE, INC., Box 366, Chester, Nebr. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, ammonia nitrate, urea, nitric acid, sulphuric acid, and fertilizer solutions*, liquid, in bulk, in tank vehicles, from the plant site of the American Cyanamid Co. at South River, Mo. (located near Palmyra), in Marion County, Mo., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. Note: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 1936 (Sub-No. 21), filed June 2, 1965. Applicant: B & P MOTOR EXPRESS, INC., 51st Street and A.V.R.R., Pittsburgh, Pa. Applicant's attorney: John A. Vuono, 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, commodities in bulk, and those requiring special equipment), between Fort Wayne, Ind., and Toledo, Ohio, over U.S. Highway 24, serving no intermediate points as an alternate route for operating convenience only in connection with carrier's authorized regular route operations. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 2392 (Sub-No. 40), filed May 27, 1965. Applicant: WHEELER TRANSPORT SERVICE, INC., Box 432, Genoa, Nebr. Applicant's attorney: Leonard A. Jaskiewicz, 1155 15th Street, 600 Madison Building, Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, ammonium nitrate, urea, nitric acid, sulphuric acid, and fertilizer solutions*, liquid, in bulk, in tank vehicles, from the plant site of the American Cyanamid Co. at South River, Mo. (located near Palmyra) in Marion County, Mo., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin, and *damaged and rejected shipments* of the commodities specified above, on return. Note: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 2840 (Sub-No. 2), filed May 27, 1965. Applicant: L. E. BAGLEY CO., INC., 600 Willow Street, Manchester, N.H. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, between points in

New Hampshire. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Concord, N.H.

No. MC 10761 (Sub-No. 175), filed June 1, 1965. Applicant: **TRANSAMERICAN FREIGHT LINES, INC.**, 1700 North Waterman Avenue, Detroit 9, Mich. Applicant's attorney: Howell Ellis, Suite 616-618 Fidelity Building, 111 Monument Circle, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Conduit, pipe and tubing*, serving Sherman, Tex., as an off-route point in connection with applicant's regular route operation between Dallas, Tex., and Oklahoma City, Okla. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 11207 (Sub-No. 233), filed May 28, 1965. Applicant: **DEATON TRUCK LINE, INC.**, 3409 10th Avenue, North, Birmingham, Ala. Applicant's attorney: A. Alvis Layne, Pennsylvania Building, Washington, D.C., 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Atlanta, Ga., on the one hand, and, on the other, Monroe and Shreveport, La., Dallas and Fort Worth, Tex., and points within ten (10) miles of Dallas and Fort Worth, Tex., and (2) between New Orleans, La., on the one hand, and, on the other, Baton Rouge, La., Orange, Beaumont, Texas City, and Houston, Tex., and points within ten (10) miles of Houston (no local service between New Orleans and the points named is sought). **NOTE:** Applicant states it proposes to tack the authority sought with the authority presently held by it in Docket No. MC 11207 (Sub-Nos. 47, 182 and 203), authorizing operations in the States of Alabama, Louisiana, Mississippi, Georgia, and Florida. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., Dallas, Tex., or Washington, D.C.

No. MC 18088 (Sub-No. 37), filed June 4, 1965. Applicant: **FLOYD & BEASLEY TRANSFER COMPANY, INC.**, Post Office Drawer 8, Sycamore, Ala. Applicant's attorney: John W. Cooper, 805 Title Building, Birmingham, Ala., 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Textile products and materials and supplies* used or consumed in the production thereof and *textile machinery and parts*, between points in Alabama, on the one hand, and, on the other, points in Georgia, Tennessee, Alabama, and South Carolina. **NOTE:** Applicant states no duplication of authority is sought. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., Birmingham, Ala., and Montgomery, Ala.

No. MC 29566 (Sub-No. 99) (AMENDMENT), filed March 1, 1965, published in *FEDERAL REGISTER* issue, March 25, 1965, and republished as amended this issue. Applicant: **SOUTHWEST**

FREIGHT LINES, INC., 1400 Kansas Avenue, Kansas City, Kans. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C, of appendix I, to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Lexington, Nebr. and points within five (5) miles thereof, Minden, Nebr., and points within five (5) miles thereof, and Darr, Nebr., and points within five (5) miles thereof, to points in Arkansas, Illinois, Iowa, Kansas, Missouri, Oklahoma, and the Indiana portion of the Chicago commercial zone, and Memphis, Tenn. **NOTE:** The purpose of this republication is to add the origin points of Darr, Nebr., and points within five (5) miles thereof. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 29566 (Sub-No. 105), filed June 1, 1965. Applicant: **SOUTHWEST FREIGHT LINES, INC.**, 1400 Kansas Avenue, Kansas City, Kans. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium nitrate, urea, fertilizer, fertilizer materials, and fertilizer ingredients*, other than liquid, from the plantsite of the American Cyanamid Co. at South River, Mo. (located near Palmyra), in Marion County, Mo., to points in Arkansas, Illinois, Iowa, Kansas, Missouri, Nebraska, and Oklahoma. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 29886 (Sub-No. 206), filed June 1, 1965. Applicant: **DALLAS & MAVIS FORWARDING CO., INC.**, 4000 West Sample Street, South Bend, Ind. Applicant's attorney: Charles Pieroni (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Truck bodies, cabs, hoists, liftgates, trailers, mixers, spreaders, and containers* (except containers having a capacity of 5 gallons or less or having a capacity of 9 cubic feet or less), moving in mixed, solid loads, and (2) *materials, supplies and parts* used in the manufacture, assembly or servicing of the above described commodities when moving in mixed loads with any of such commodities, from Gallon, Bucyrus, Cardington, and Lima, Ohio, to points in the United States. **NOTE:** Applicant states that it presently holds authority to perform a part of the above service under its Certificate No. MC 29886 (Sub-No. 180), but no duplicating authority is sought herein. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Cleveland, Ohio.

No. MC 30844 (Sub-No. 183), filed May 27, 1965. Applicant: **KROBLIN REFRIGERATED XPRESS, INC.**, Post Office Box 218, Sumner, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sodium linear alkylate sulfonate*, in bags and drums, from

Fredonia, Wis., to Sumner, Iowa. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 31600 (Sub-No. 591), filed May 27, 1965. Applicant: **P. B. MUTRIE MOTOR TRANSPORTATION, INC.**, Calvary Street, Waltham, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry plastic materials*, in bulk, in tank or hopper type vehicles, from Freetown, Mass., to points in Rhode Island. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 42261 (Sub-No. 91), filed June 1, 1965. Applicant: **LANGER TRANSPORT CORP.**, Route 1 and Foot of Danforth Avenue, Jersey City, N.J. Applicant's attorney: Samuel B. Zinder, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, dry, in bulk, in tank and hopper type vehicles, between Passaic, N.J., and points in Mason County, W. Va. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 45656 (Sub-No. 10), filed June 1, 1965. Applicant: **ANDERSON TRUCK LINE, INC.**, 115 Powell Avenue, Lenoir, N.C. Applicant's attorney: Vaughan S. Winborne, Capital Club Building, Raleigh, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Veneers and other wood products*, said commodities to be used in the manufacturing of furniture, from points in Georgia to Lenoir, N.C., and those points in North Carolina within 50 miles of Lenoir, N.C. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 45656 (Sub-No. 11), filed June 1, 1965. Applicant: **ANDERSON TRUCK LINE, INC.**, 115 Powell Avenue, Lenoir, N.C. Applicant's attorney: Vaughan S. Winborne, Capital Club Building, Raleigh, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, (1) from Conover, N.C., and points within 2 miles thereof, and points in Caldwell County, N.C., to points in Virginia, Georgia, and Maryland, and (2) from Marion, N.C. to points in that part of Georgia on and south of U.S. Highway 280. **NOTE:** Applicant states any duplicating authority in (1) above will be canceled and in (2) it holds authority from Marion to the north part of Georgia. If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 50069 (Sub-No. 324), filed June 1, 1965. Applicant: **REFINERS TRANSPORT AND TERMINAL CORPORATION**, 111 West Jackson Boulevard, Chicago 4, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, ammonium nitrate, urea, nitric acid, sulphuric acid, and fertilizer solutions*, in bulk, in tank vehicles, from the plantsite of the American Cyanamid Co. at or near South River, Mo., to points in Arkansas, Illinois,

Indiana, Iowa, Kansas, Kentucky, Michigan, Missouri, Minnesota, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 52709 (Sub-No. 266), filed June 2, 1965. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver, Colo., 80216. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Laramie, Wyo., and Craig, Colo.: From Laramie over Wyoming Highway 230 to the Wyoming-Colorado State line, thence over Colorado Highway 127 to junction Colorado Highway 125, thence over Colorado Highway 125 to junction Colorado Highway 14 at or near Walden, Colo., thence over Colorado Highway 14 to junction U.S. Highway 40, thence over U.S. Highway 40 to Craig, and return over the same route, serving no intermediate points, but serving Laramie, Wyo., for purpose of joinder only. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 61396 (Sub-No. 136), filed May 27, 1965. Applicant: HERMAN BROS. INC., 2501 North 11th Street, Omaha, Nebr. Applicant's attorney: Leonard Jaskiewicz, 600 Madison Building, 1155 15th Street NW., Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, ammonium nitrate, urea, nitric acid, sulphuric acid, and fertilizer solutions, liquid, in bulk, in tank vehicles, from the plantsite of American Cyanamid Co., at South River, Mo. (located near Palmyra), in Marion County, Mo., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Missouri, Minnesota, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 61403 (Sub-No. 128), filed May 27, 1965. Applicant: THE MASON AND DIXON TANK LINES, INC., Eastman Road, Kingsport, Tenn. Applicant's attorney: W. C. Mitchell, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Methyl methacrylate monomer, in bulk, in tank vehicles, from Pace, Fla., to points in Maryland and New Jersey.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 61403 (Sub-No. 129), filed June 1, 1965. Applicant: THE MASON AND DIXON TANK LINES, INC., Eastman Road, Kingsport, Tenn. Applicant's attorney: W. C. Mitchell, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Corn syrup, and liquid sugar and*

blends thereof, in bulk, in tank vehicles, from Cullman, Ala., to points in Georgia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 61788 (Sub-No. 22), filed June 1, 1965. Applicant: GEORGIA FLORIDA ALABAMA TRANSPORTATION COMPANY, a corporation, Post Office Box 1327, Dothan, Ala. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except Classes A and B explosives, livestock, household goods as defined by the Commission, commodities of unusual value, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), serving points in Russell County, Ala., as off-route points in connection with applicant's regular route operations between Dothan, Ala., and Columbus, Ga. **NOTE:** If a hearing is deemed necessary, applicant requests it to be held at Columbus, Ga.

No. MC 63101 (Sub-No. 5), filed June 1, 1965. Applicant: KEENE'S TRANSFER, INC., Post Office Box 87, Tomah, Wis. Applicant's attorney: John T. Porter, 708 First National Bank Building, Madison, Wis., 53703. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Malt beverages, from La Crosse and Sheboygan, Wis., to South Beloit, Ill.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 64994 (Sub-No. 65), filed May 25, 1965. Applicant: HENNIS FREIGHT LINES, INC., Post Office Box 612, Winston-Salem, N.C., 27102. Applicant's representative: Frank C. Phillips (same address as applicant's). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Steel billets, on flatbed trailers, from Steelton, Ky., to West Allis, Wis., and refused and rejected shipments, on return.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 71096 (Sub-No. 53) (CORRECTION), filed May 10, 1965, published FEDERAL REGISTER issue June 3, 1965, and republished as corrected this issue. Applicant: NORWALK TRUCK LINES, INC., 180 Milan Avenue, Norwalk, Ohio. Applicant's representative: Marion M. Emery, 6055 Flanders Road, Sylvania, Ohio. The above entitled caption was published in error. The purpose of this republication is to correctly show the name of the company to be Norwalk Truck Lines, Inc.

No. MC 73656 (Sub-No. 2), filed May 27, 1965. Applicant: GERO BROS. MOVERS, INC., 53 Main Street, Burlington, Vt. Applicant's attorney: Robert J. Gallagher, 111 State Street, Boston, Mass., 02109. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Uncrated new furniture, between points in Vermont, on the one hand, and, on the other, points in Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, Virginia, Ohio, Penn-*

sylvania, Indiana, Illinois, and the District of Columbia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Burlington, Vt.

No. MC 76177 (Sub-No. 302), filed June 1, 1965. Applicant: BAGGETT TRANSPORTATION COMPANY, a corporation, 2 South 32d Street, Birmingham, Ala. Applicant's attorney: Alan E. Serby, Suite 1600 First Federal Building, Atlanta, Ga. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving points in Russell County, Ala., as off-route points in connection with applicant's authorized regular route authority. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Columbus, Ga.

No. MC 78632 (Sub-No. 122), filed June 4, 1965. Applicant: HOOVER MOTOR EXPRESS COMPANY, INC., Post Office Box 2408, Jacksonville, Fla. Applicant's attorney: Jack Goodman, 39 South La Salle Street, Chicago, Ill. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving East Troy, Wis., as an off-route point in connection with applicant's presently authorized regular route operations between Chicago, Ill., and Milwaukee, Wis. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Milwaukee, Wis.

No. MC 85934 (Sub-No. 35), filed June 1, 1965. Applicant: MICHIGAN TRANSPORTATION COMPANY, a corporation, 3601 Wyoming Avenue, Dearborn, Mich. Applicant's attorney: Rex Eames, 1600 Buhl Building, Detroit, Mich. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lime and limestone products, from River Rouge, Mich., to points in Illinois, Indiana, Iowa, Kentucky, Ohio, Missouri, New York, Pennsylvania, Wisconsin, and West Virginia.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 92983 (Sub-No. 471), filed June 1, 1965. Applicant: ELDON MILLER, INC., Post Office Drawer 617, Kansas City, Mo., 64141. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fats and oils, including blends and products thereof, in bulk, from points in Idaho and Montana, to points in Kansas and Nebraska.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 93003 (Sub-No. 42), filed June 1, 1965. Applicant: CARROLL TRUCKING COMPANY, a corporation, Huntington, W. Va. Authority sought to operate as a common carrier, by motor

vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, between points in Kentucky. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 93734 (Sub-No. 6), filed June 1, 1965. Applicant: DE WITT TRANSFER AND STORAGE COMPANY, a corporation, 6060 North Figueroa Street, Los Angeles, Calif. Applicant's attorney: Carl H. Fritze, 1010 Wilshire Boulevard, Los Angeles, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Los Angeles, Orange, San Diego, Imperial, Ventura, San Bernardino, Riverside, Kern, Santa Barbara, Alameda, Contra Costa, Marin, San Francisco, San Mateo, Santa Clara, Santa Cruz, and Solano Counties, Calif. **NOTE:** Applicant states it seeks no duplication of existing authority. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 94350 (Sub-No. 68), filed June 1, 1965. Applicant: TRANSIT HOMES, INC., 210 West McBee Avenue, Post Office Box 1075, Greenville, S.C. Applicant's attorney: Henry P. Willimon, Box 1075, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, travel trailers, and campers, from points in Louisiana and those in the States east of the Mississippi River; namely, Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, and *damaged or rejected shipments*, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it to be held at Richmond, Va.

No. MC 94350 (Sub-No. 69), filed June 1, 1965. Applicant: TRANSIT HOMES, INC., 210 West McBee Avenue, Post Office Box 1075, Greenville, S.C. Applicant's attorney: Henry P. Willimon, Box 1075, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Campers, camper coaches*, and *trailers* designed to be drawn by passenger automobiles, in initial movement, from points in Hancock and Winnebago Counties, Iowa, to points in the United States (except Alaska and Hawaii), and *damaged and rejected shipments*, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 94350 (Sub-No. 70), filed June 2, 1965. Applicant: TRANSIT HOMES, INC., 210 West McBee Avenue, Post Office Box 1075, Greenville, S.C. Applicant's attorney: Henry P. Willimon, Box 1075, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be

drawn by passenger automobiles, in initial movements, from points in Hart County, Ky., to points in the United States (except Alaska and Hawaii), and *damaged and rejected shipments*, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Frankfort, Ky.

No. MC 94350 (Sub-No. 71), filed June 3, 1965. Applicant: TRANSIT HOMES, INC., 210 West McBee Avenue, Post Office Box 1075, Greenville, S.C. Applicant's attorney: Henry P. Willimon, Box 1075, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, from points in Morgan County, Colo., to points in Louisiana, and those in States west of the Mississippi River; namely, Arizona, Arkansas, California, Colorado, Idaho, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming, and *damaged and rejected shipments*, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 94350 (Sub-No. 72), filed June 3, 1965. Applicant: TRANSIT HOMES, INC., 210 West McBee Avenue, Post Office Box 1075, Greenville, S.C. Applicant's attorney: Henry P. Willimon, Box 1075, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Portable paper balers*, from Ventura, Calif., to points in the continental United States, including Alaska, and *damaged and rejected shipments*, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 94350 (Sub-No. 73), filed June 4, 1965. Applicant: TRANSIT HOMES, INC., 210 West McBee Avenue, Post Office Box 1075, Greenville, S.C. Applicant's attorney: Henry P. Willimon, Box 1075, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Portable buildings* traveling on their own or removable undercarriages which are designed to be joined together to form a complete structure, equipped with hitch ball coupler (excluding trailers or mobile homes designed to be drawn by passenger automobiles, and oil field or industrial buildings), from points in Virginia to points in Louisiana and points in States east of the Mississippi River; namely, Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, and *damaged and rejected shipments* on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Richmond, Va.

No. MC 95224 (Sub-No. 3), filed May 26, 1965. Applicant: R. COMEAU, INC., Lime Street, Post Office Box 132,

Adams, Mass. Applicant's representative: William L. Mobley, Rooms 311-315, 1694 Main Street, Springfield 3, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime, limestone*, and *limestone products*, from Adams, Mass., to points in Cheshire, Hillsboro, Merrimack, Rockingham, Strafford, and Sullivan Counties, N.H., those in Rutland and Windsor Counties, Vt., and those in New Jersey on and north of New Jersey Highway 33. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Albany, N.Y.

No. MC 96339 (Sub-No. 8), filed May 27, 1965. Applicant: ARROW MOVING AND STORAGE CO., INC., Post Office Box 136, 1509 Bent Avenue, Cheyenne, Wyo. Applicant's attorney: Ward A. White, Post Office Box 578, 1600 Van Lenn Avenue, Cheyenne, Wyo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Telephone, telegraph and powerline equipment, materials, and supplies*, between Cheyenne, Wyo., on the one hand, and, on the other, points within sixty (60) miles of Cheyenne, Wyo. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Cheyenne, Wyo.

No. MC 98088 (Sub-No. 11), filed June 1, 1965. Applicant: LINDLEY TRUCKING SERVICE, INC., 1701 Grand Avenue, Granite City, Ill. Applicant's attorney: B. W. La Tourette, Jr., Suite 1230, Boatmen's Bank Building, St. Louis, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, liquid commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the plantsite of American Cyanamid Co. at South River, Mo. (located near Palmyra, Mo.), as an off-route point in connection with applicant's presently authorized regular route operations. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 99090 (Sub-No. 5), filed June 1, 1965. Applicant: YATES TRUCK LINES, INC., Maud, Ky. Applicant's attorney: Robert M. Pearce, Central Building, 1033 State Street, Bowling Green, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer ingredients and component fertilizer raw materials, and returned and rejected shipments*, between points in Kentucky. **NOTE:** If a hearing is deemed necessary, applicant requests it to be held at Louisville, Ky.

No. MC 99744 (Sub-No. 2), filed May 10, 1965. Applicant: VICTOR GROTHAUS, doing business as GROTHAUS EXPRESS, 201 East Fourth Street, Kingsley, Iowa. Applicant's attorney: J. F. Edell, 510 Professional Building, Kansas City, Mo., 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, between Sioux City, and Schaller, Iowa;

from Sioux City over U.S. Highway 20 to junction Iowa Highway 110, thence over Iowa Highway 110 to Schaller and return over the same route, serving the intermediate points of Moville, Correctionville, and Cushing, Iowa, and the off-route points of Lawton, Holstein, Kingsley, Pierson, Washta, Quimby, Anthon, Oto, Battle Creek, Ida Grove, Galva, Union Township School, and Grand Meadow Consolidated School, Iowa. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa.

No. MC 106400 (Sub-No. 54), filed May 28, 1965. Applicant: KAW TRANSPORT COMPANY, a corporation, 701 North Sterling, Sugar Creek, Mo. Applicant's attorney: Leonard A. Jaskiewicz, Madison Building, 1155 Fifteenth Street NW., Washington, D.C., 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, ammonium nitrate, urea, nitric acid, sulphuric acid, and fertilizer solutions*, liquid, in bulk, in tank vehicles, from the plantsite of the American Cyanamid Co. at South River, Mo. (located near Palmyra), in Marion County, Mo., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 106451 (Sub-No. 5), filed May 26, 1965. Applicant: COOK MOTOR LINES, INC., Box 1391, Akron, Ohio. Applicant's attorney: A. Charles Tell, Columbus Center, 100 East Broad Street, Columbus, Ohio. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Huntington and New Martinsville, W. Va., from Huntington over U.S. Highway 2 to New Martinsville, and return over the same route, (2) between Huntington and Alloy, W. Va., from Huntington over U.S. Highway 60 to Alloy, and return over the same route, (3) between Point Pleasant and Charleston, W. Va., from Point Pleasant over U.S. Highway 35 to Charleston, and return over the same route, (4) between Charleston and Parkersburg, W. Va., from Charleston over U.S. Highway 21 (including Interstate Highway 77) to Parkersburg, and return over the same route, (5) between Mineralwells and Spencer, W. Va., from Mineralwells over West Virginia Highway 14 to Spencer, and return over the same route, (6) between Mason and Franklin, W. Va., from Mason over U.S. Highway 33 to Franklin and return over the same route, (7) between Parkersburg and Romney, W. Va., from Parkersburg over U.S. Highway 50 to Romney, and return over the same route, (8) between New Martinsville and Buckhannon, W. Va., from New Martinsville over West Virginia Highway 20 to Buckhannon, and return over the same route, (9) between Wheel-

ing and Elkins, W. Va., from Wheeling over U.S. Highway 250 to Elkins, and return over the same route, (10) between Morgantown and Weston, W. Va., from Morgantown over U.S. Highway 19 to Weston, and return over the same route, (11) between Keyser and Franklin, W. Va., from Keyser over U.S. Highway 220 to Franklin, and return over the same route. **NOTE:** Applicant states that service is to be restricted against service to points south of U.S. Highway 60. Service is proposed to and from all terminal and intermediate points and off-route points located in Ohio, Marshall, Wetzel, Tyler, Pleasants, Wood, Jackson, Mason, Cabell, Putnam, Kanawha, Fayette, Wirt, Roane, Calhoun, Gilmer, Lewis, Upshur, Randolph, Pendleton, Ritchie, Doddridge, Harrison, Taylor, Tucker, Preston, Grant, Mineral, Hampshire, Marion, Barbour, Monongalia, and Hardy Counties, W. Va. (except that service to and from the terminal and intermediate points of Huntington, Charleston, and Parkersburg, W. Va., shall be only for the purpose of joinder and interchange with other motor carriers). If a hearing is deemed necessary, applicant requests it be held at Charleston, W. Va.

No. MC 106674 (Sub-No. 15), filed June 4, 1965. Applicant: OSBORNE TRUCKING CO., INC., 709 South 13th Street, Post Office Box 82, Vincennes, Ind. Applicant's attorney: Thomas F. Kilroy, 1815 H Street NW., Washington, D.C., 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, fertilizer, and fertilizer ingredients*, between points in Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, South Dakota, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or St. Louis, Mo.

No. MC 107107 (Sub-No. 348), filed May 27, 1965. Applicant: ALTERMAN TRANSPORT LINES, INC., Post Office Box 458, Allapattah Station, Miami, Fla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dairy products, whipped topping, dessert topping, bakers' topping and nondairy coffee cream*, in mechanically refrigerated vehicles, from Jacksonville, Fla., to Chicago, Ill. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 107403 (Sub-No. 628), filed June 4, 1965. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, between points in St. Charles Parish, La., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 107515 (Sub-No. 515), filed June 1, 1965. Applicant: REFRIGERATED TRANSPORT CO., INC., 290 University Avenue SW., Atlanta, Ga., 30310. Applicant's attorney: Paul M. Daniell, Suite 1600, First Federal Building, Atlanta, Ga., 30303. Authority sought to

operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Ayden, N.C., to points in Virginia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107544 (Sub-No. 71), filed June 3, 1965. Applicant: LEMMON TRANSPORT COMPANY, INC., Post Office Box 580, Marion, Va. Applicant's attorney: Harry C. Ames, Jr., Transportation Building, Washington, D.C., 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Nitrogen tetroxide*, in bulk, in specially designed tank trailers, between Hercules, Calif., Cape Kennedy, Fla., Lewis Research Center, near Cleveland, Ohio, missile sites at or near Davis-Monthan Air Force Base, Ariz., Little Rock Air Force Base, Ark., and McConnell Air Force Base, Kans., Denver, Colo., and points within 25 miles thereof. **NOTE:** Applicant is also authorized to conduct operations as a contract carrier in Permit No. MC 113959 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107839 (Sub-No. 76), filed May 27, 1965. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., 5135 York Street, Denver, Colo. Applicant's attorney: Edward T. Lyons, Jr., Suite 420, Denver Club Building, Denver, Colo., 80202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Oleomargarine*, from Dallas, Tex., to points in Utah, Idaho, Montana, Washington, and Oregon. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 107839 (Sub-No. 77), filed June 1, 1965. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., 5135 York Street, Denver, Colo. Applicant's attorney: Edward T. Lyons, Jr., Suite 420, Denver Club Building, Denver, Colo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, dairy products, articles distributed by meat packinghouses, and such commodities as are used by meat packers in the conduct of their business when destined to and for use by meat packers, as described in sections A, B, C, and D of Appendix I to the report in Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Greeley, Colo., to points in Alabama, Arkansas, Florida, Georgia, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas. **NOTE:** If a hearing is deemed necessary, applicant does not specify place.

No. MC 108053 (Sub-No. 67), filed June 3, 1965. Applicant: LITTLE AUDREY'S TRANSPORTATION COMPANY, INC., Post Office Box 709, Fremont, Neb. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Fairmont and Winnebago, Minn., to points in Idaho, Ore-

gon, Washington, California, Nevada, Utah, and Montana. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 108185 (Sub-No. 29), filed June 1, 1965. Applicant: **DIXIE HIGHWAY EXPRESS, INC.**, 1900 Vanderbilt Road, Birmingham, Ala. Applicant's attorney: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), serving points in Russell County, Ala., as off-route points in connection with applicant's authorized regular-route operations. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Columbus, Ga.

No. MC 108449 (Sub-No. 202), filed June 1, 1965. Applicant: **INDIAN-HEAD TRUCK LINE, INC.**, 1947 West County Road "C", St. Paul, Minn., 55113. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium nitrate, urea, fertilizer materials, and fertilizer ingredients*, other than liquid, from the plantsite of the American Cyanamid Co. located at South River (Marion County), Mo., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 109397 (Sub-No. 120), filed June 1, 1965. Applicant: **TRI-STATE MOTOR TRANSIT CO.**, a corporation, Post Office Box 113, Joplin, Mo. Applicant's attorney: Max G. Morgan, 443-54 American National Building, Oklahoma City 2, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A, B, and C explosives, blasting supplies, nitro-carbonitrates, and ammonium nitrate*, between Ordill, Ill., and points within ten (10) miles thereof, on the one hand, and, on the other, points in Connecticut, Maryland, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 109497 (Sub-No. 13), filed May 26, 1965. Applicant: **A. F. COMER TRANSPORT SERVICE, INC.**, Post Office Box 711, Rocky Mount, N.C. Applicant's attorney: Louis Reznick, 5009 Keokuk Street, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, in bulk, in tank motor vehicles, from Chesapeake, Va., and points in Virginia within 15 miles thereof, to points in North Carolina. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Raleigh, N.C.

No. MC 110505 (Sub-No. 61), filed June 1, 1965. Applicant: **RINGLE TRANSPORT, INC.**, 405 South Grant Avenue, Fowler, Ind. Applicant's attorney: Robert C. Smith, 512 Illinois Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roofing cement and wood preservatives*, from Michigan City, Ind., to points in Illinois, Ohio, Michigan, Kentucky, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110525 (Sub-No. 730), filed May 27, 1965. Applicant: **CHEMICAL LEAMAN TANK LINES, INC.**, 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorneys: Leonard A. Jaskiewicz, 1155 15th Street NW., Madison Building, Washington, D.C. and Edwin H. van Deusen, 520 East Lancaster Avenue, Downingtown, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, ammonium nitrate, urea, nitric acid, sulphuric acid, and fertilizer solutions*, liquid, in bulk, in tank vehicles, from the plant site of the American Cyanamid Co., at South River, Mo. (located near Palmyra) in Marion County, Mo., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 110988 (Sub-No. 120) (AMENDMENT), filed March 9, 1965, published FEDERAL REGISTER issue March 25, 1965, and republished as amended this issue. Applicant: **KAMPO TRANSPORT, INC.**, 200 West Cecil Street, Neenah, Wis. Applicant's attorney: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, fertilizers and fertilizer ingredients* from East Dubuque, Ill. and points in Illinois within 10 miles thereof, to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, North Dakota, South Dakota, and Wisconsin. **NOTE:** The purpose of this republication is to add the destination States of Arkansas, Kentucky, Michigan, Ohio, Oklahoma, and North Dakota. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110988 (Sub-No. 129), filed June 4, 1965. Applicant: **KAMPO TRANSPORT, INC.**, 200 West Cecil Street, Neenah, Wis. Applicant's attorney: Harry C. Ames, Jr., Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium nitrate, urea, fertilizer materials, and fertilizer ingredients*, other than liquid, from the plant site of the American Cyanamid Co. at South River Mo. (located near Palmyra) in Marion County, Mo., to points in Arkansas, Illinois, Indiana,

Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 111231 (Sub-No. 66), filed May 28, 1965. Applicant: **JONES TRUCK LINES, INC.**, 610 East Emma Avenue, Springdale, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition building boards, accessories and materials incidental to the transportation and installation thereof*, from Greenville, Miss., to points in Illinois, Missouri, and Kansas. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 111401 (Sub-No. 175), filed June 1, 1965. Applicant: **GROENDYKE TRANSPORT, INC.**, 2510 Rock Island Boulevard, Post Office Box 632, Enid, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, ammonium nitrate, urea, nitric acid, sulphuric acid and fertilizer solutions*, liquid, in bulk, in tank vehicles, from the plantsite of the American Cyanamid Co. at South River, Mo. (located near Palmyra) in Marion County, Mo., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 111729 (Sub-No. 86), filed June 4, 1965. Applicant: **ARMORED CARRIER CORPORATION**, 222-17 Northern Boulevard, Bayside, N.Y. Applicant's attorney: Russell S. Bernhard, 1625 K Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Business papers, records, and audit and accounting media* (except cash letters), between Natick, Mass., on the one hand, and, on the other, Logan Airport, Boston, Mass., limited to handling of traffic having a prior or subsequent out-of-State movement by air. **NOTE:** Applicant states the proposed operations will be subject to the following restriction: No service shall be performed under the authority granted herein for any bank or banking institution; namely, any national bank, State bank, Federal Reserve bank, savings and loan association, or savings bank. Applicant is also authorized to conduct operations as a contract carrier in Permit MC 112750 and subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 111729 (Sub-No. 87), filed June 4, 1965. Applicant: **ARMORED CARRIER CORPORATION**, 222-17 Northern Boulevard, Bayside, N.Y. Applicant's attorney: Russell S. Bernhard, Commonwealth Building, 1625 K Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Business papers, records,*

and audit and accounting media (except cash letters), between O'Hare Field, Chicago, Ill., on the one hand, and on the other, Champaign, Joliet, Rock Island and Springfield, Ill., and Racine, Wis., limited to handling of traffic having a prior or subsequent out-of-state movement by air. NOTE: Applicant states in the above operations no service will be performed for any bank or banking institution; namely, any national bank, State bank, Federal Reserve Bank, savings and loan association or savings bank. Applicant is also authorized to conduct operations as a contract carrier in Permit MC 112750 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 111729 (Sub-No. 88), filed June 4, 1965. Applicant: ARMORED CARRIER CORPORATION, 222-17 Northern Boulevard, Bayside, N.Y. Applicant's attorney: Russell S. Bernhard Commonwealth Building, 1625 K Street NW., Washington 6, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Exposed film and prints* (except motion picture film used primarily for commercial theater and television exhibition), (a) from points in West Virginia, to Detroit, Mich.; (b) from points in La Crosse County, Wis. (except La Crosse, Wis.), to Aurora, Ill.; (2) *processed film and prints* (except motion picture film used primarily for commercial theater and television exhibition), *complimentary replacement film, labels, envelopes, packaging materials, and advertising literature* moving therewith, (a) from Detroit, Mich., to points in West Virginia; (b) from Aurora, Ill., to points in La Crosse County, Wis. (except La Crosse, Wis.); (3) *whole human blood and blood derivatives*, between Toledo, Ohio, on the one hand, and, on the other, Detroit, Mich., and (4) *business papers, records, and audit and accounting media* (except cash letters), (a) between Cincinnati, Ohio, on the one hand, and, on the other, Boyers, Pa. and Ashland, Ky., and (b) between Cleveland, Ohio, on the one hand, and, on the other, points in Michigan and West Virginia. NOTE: Applicant states in the above operations no service will be performed for any bank or banking institution; namely, any national bank, State bank, Federal Reserve Bank, savings and loan association, or savings bank. Applicant is also authorized to conduct operations as a contract carrier in Permit MC 112750 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it to be held at Detroit, Mich.

No. MC 111729 (Sub-No. 89), filed June 4, 1965. Applicant: ARMORED CARRIER CORPORATION, 222-17 Northern Boulevard, Bayside, N.Y. Applicant's attorney: Russell S. Bernhard, 1625 K Street NW., Washington 6, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Business papers, records, and audit and accounting media* (except cash letters), between Boston, Mass., on the one hand,

and, on the other, Poughkeepsie, N.Y., and (2) *checks* (except cash letters), from Concord, N.H., to Boston, Mass. NOTE: Applicant states the proposed operations will be subject to the following restriction: No service shall be performed under the authority granted herein for any bank or banking institution, namely, any national bank, State bank, Federal Reserve Bank, savings and loan association, or savings bank. Applicant is also authorized to conduct operations as a contract carrier in Permit MC 112750 and subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 111812 (Sub-No. 291), filed May 28, 1965. Applicant: MIDWEST COAST TRANSPORT, INC., Wilson Terminal Building, Post Office Box 747, Sioux Falls, S. Dak. Applicant's attorney: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packing-houses* (except hides and commodities in bulk, in tank vehicles), from points in Dawson and Kearney Counties, Nebr.; to points in Arizona, California, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 112223 (Sub-No. 71), filed June 1, 1965. Applicant: QUICKIE TRANSPORT COMPANY, a corporation, 501 11th Avenue South, Minneapolis, Minn. Applicant's attorney: Earl Hacking, 503 11th Avenue South, Minneapolis, Minn. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Manufactured dry fertilizer*, in bulk, from Pine Bend, Minn., and points within five (5) miles thereof to points in Iowa, North Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 112617 (Sub-No. 200), filed June 1, 1965. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville, 5, Ky. Applicant's attorney: Leonard A. Jaskiewicz, 600 Madison Building, 1155 15th Street NW., Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, ammonium nitrate, urea, nitric acid, sulphuric acid, and fertilizer solutions*, liquid, in bulk, in tank vehicles, from the plantsite of the American Cyanamid Co. at South River, Mo. (located near Palmyra), in Marion County, Mo., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 112801 (Sub-No. 27), filed May 28, 1965. Applicant: TRANSPORT

SERVICE CO., a corporation, Post Office Box 272, Cicero Station, Chicago 50, Ill. Applicant's attorney: Leonard A. Jaskiewicz, Madison Building, 1155 15th Street NW., Washington, D.C., 20005. Authority sought to operate as a common carrier by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, ammonium nitrate, urea, nitric acid, sulphuric acid, and fertilizer solutions*, liquid, in bulk, in tank vehicles, from the plantsite of the American Cyanamid Co. at South River, Mo. (located near Palmyra), in Marion County, Mo., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 112822 (Sub-No. 54), filed May 28, 1965. Applicant: EARL BRAY, INC., Post Office Box 1191, Linwood and North Streets, Cushing, Okla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Ammonium nitrate, urea, fertilizer materials, and fertilizer ingredients* (other than liquid), from the plantsite of the American Cyanamid Co. at South River, Mo. (located near Palmyra), in Marion County, Mo., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 112822 (Sub-No. 55), filed May 28, 1965. Applicant: EARL BRAY, INC., Post Office Box 1191, Linwood and North Streets, Cushing, Okla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, ammonium nitrate, urea, nitric acid, sulphuric acid, and fertilizer solutions*, liquid, in bulk, in tank vehicles, from the plantsite of American Cyanamid Co., at South River, Mo. (located near Palmyra), in Marion County, Mo., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 113325 (Sub-No. 44), filed May 28, 1965. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo. Applicant's attorney: Chester A. Zyblut, 1000 Connecticut Avenue NW., Washington, D.C., 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Chemicals*, including fertilizer compounds, in bulk, from Peru, Ill., to points in Indiana, Ohio, Michigan, Wisconsin, Minnesota, Iowa, and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113434 (Sub-No. 17), filed May 26, 1965. Applicant: GRA-BELL TRUCK LINE, INC., 679 Lincoln Avenue, Holland, Mich. Applicant's attorney: Wilhelmina Boersma, 2850 Penobscot Building, Detroit, Mich. Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from the distribution center of Michigan Fruit Canners located approximately two (2) miles west of Coloma, Mich., to points in Indiana, Illinois, Ohio, and Wisconsin, and *rejected shipments* of the commodities specified above, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 113666 (Sub-No. 21), filed June 4, 1965. Applicant: FREEPORTR TRANSPORT, INC., 1200 Butler Road, Freeport, Pa. Applicant's attorney: Leonard A. Jaskiewicz, Madison Building, 1155 15th Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium nitrate, urea, fertilizer materials, and fertilizer ingredients*, other than liquid, from the plantsite of the American Cyanamid Co. at South River, Mo. (located near Palmyra), in Marion County, Mo., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 113678 (Sub-No. 146), filed May 26, 1965. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo. Applicant's attorney: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Confectionery, candy, cocoa, coatings, compounds, and cough drops*, from Reading, Elizabethtown and Lititz, Pa., to points in Alabama, Arkansas, Colorado, Illinois, Indiana, Iowa, Louisiana, Kansas, Michigan, Kentucky, Minnesota, Missouri, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant does not specify place.

No. MC 113678 (Sub-No. 147), filed June 4, 1965. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's attorney: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dairy products*, (2) *returned dairy products*, (3) *commodities exempt from economic regulations pursuant to provisions of section 206(b) (6) when moving in the same vehicle at the same time with dairy products and/or returned dairy products*, from points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming to points in Minnesota and Wisconsin and *empty containers or other such incidental facilities* used in transporting the above described commodities, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 113828 (Sub-No. 88), filed May 27, 1965. Applicant: O'BOYLE TANK LINES, INCORPORATED, 4848 Cordell

Avenue, Washington 14, D.C. Applicant's attorney: William P. Sullivan, 1825 Jefferson Place NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, as described in appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except petroleum chemicals as defined in appendix XV to the Description case cited above), in bulk, in tank vehicles, from points in Butler County, Pa., to points in Connecticut, Delaware, New Hampshire, New Jersey, New York, Massachusetts, Maine, Rhode Island, and Vermont. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113828 (Sub-No. 89), filed May 27, 1965. Applicant: O'BOYLE TANK LINES, INCORPORATED, 4848 Cordell Avenue, Washington 14, D.C. Applicant's attorney: William P. Sullivan, 1825 Jefferson Place NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sorbitol*, in bulk, in tank vehicles, from the plantsite of Merck & Co. located at Danville, Pa., to Richmond, Va. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113843 (Sub-No. 88), filed May 27, 1965. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Detroit, Mich., to points in Ohio. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 113974 (Sub-No. 15), filed June 2, 1965. Applicant: PITTSBURGH & NEW ENGLAND TRUCKING CO., a corporation, 211 Washington Avenue, Dravosburg, Pa. Applicant's attorney: Henry M. Wick, Jr., 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles* as described in appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, between Allenport and Monessen, Pa., on the one hand, and, on the other, points in Indiana, Illinois, and the Lower Peninsula of Michigan. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 114004 (Sub-No. 59), filed June 1, 1965. Applicant: CHANDLER TRAILER CONVOY, INC., 8828 New Benton Highway, Little Rock, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boats, and boat accessories, and boat trailers*, from points in Texas (except the Traveler warehouse in Tyler, Tex., and Austin, Tex.), to points in the continental United States, including Alaska. **NOTE:** If a hearing

is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 114194 (Sub-No. 104), filed June 1, 1965. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glues and adhesives*, in bulk, from points in the Kansas City, Mo.-Kansas City, Kans., commercial zone, to points in Missouri, Kansas, Oklahoma, Texas, Colorado, Nebraska, Arkansas, and Louisiana, and *rejected shipments* of the commodities specified above, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Kansas City, Kans.

No. MC 114725 (Sub-No. 22), filed June 1, 1965. Applicant: WYNNE TRANSPORT SERVICE, INC., 1528 North 11th Street, Omaha, Nebr. Applicant's attorney: J. Max Harding, Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer, and urea*, in bulk and in bags, from Nebraska City, Nebr., to points in Iowa, Kansas, Minnesota, Missouri, North Dakota, and South Dakota, and *damaged and rejected shipments* of the commodities specified above, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 114725 (Sub-No. 23), filed June 1, 1965. Applicant: WYNNE TRANSPORT SERVICE, INC., 1528 North 11th Street, Omaha, Nebr. Applicant's attorney: J. Max Harding, Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, in bulk, and *damaged and rejected shipments* of commodities specified, between points in Nebraska. **NOTE:** Applicant states the proposed service to be restricted against (1) the movement of petroleum products, in bulk, against (2) the movement of fertilizer or fertilizer mixtures, from La Platte, Nebr., and against (3) the movement of inedible animal fats and blends thereof, from points in Nebraska to Omaha and Nebraska City, Nebr. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 115669 (Sub-No. 51), filed June 1, 1965. Applicant: HOWARD N. DAHLSTEN, doing business as DAHLSTEN TRUCK LINE, Post Office Box 95, Clay Center, Nebr. Applicant's attorney: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium nitrate, urea, fertilizer materials and fertilizer ingredients* (other than liquid), from the plantsite of the American Cyanamid Co. at South River, Mo. (located near Palmyra), in Marion County, Mo., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 116077 (Sub-No. 182), filed June 1, 1965. Applicant: ROBERTSON

TANK LINES, INC., Post Office Box 9527, 5700 Polk Avenue, Houston, Tex., 77011. Applicant's attorney: Thomas E. James, 721 Brown Building, Austin, Tex., 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid and dry sugar*, in bulk, in tank and hopper vehicles, from points in Louisiana to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Kentucky, Mississippi, Missouri, North Carolina, South Carolina, Tennessee, Texas, and Virginia. Note: Applicant states no duplicating authority sought. If a hearing is deemed necessary, applicant requests it to be held at New Orleans, La.

No. MC 116142 (Sub-No. 14), filed June 2, 1965. Applicant: **BEVERAGE TRANSPORTATION, INC.**, Post Office Box 423, York, Pa. Applicant's attorney: S. Harrison Kahn, Suite 733 Investment Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Advertising material* in conjunction with the transportation of malt beverages, (1) from Baltimore, Md., to points in New York and Pennsylvania; (2) from Lebanon, Pa., to Newark, N.J.; (3) from Newark, N.J., to points in New Jersey; (4) from Natick, Mass., to Lebanon and Hudson, Pa.; (5) from Newark, N.J., to Baltimore, Md.; (6) from Philadelphia, Pa., to points in New Jersey; (7) from Pittsburgh, Pa., to Wilmington, Del., the District of Columbia, and points in Maryland, and that part of New York on and west of New York Highway 19; (8) from Harrisburg, Pa., to Baltimore, Md.; (9) from New York, N.Y., to Pittsburgh, Pa.; (10) from Cumberland and Baltimore, Md., and New York and Buffalo, N.Y., to Harrisburg, Pa.; (11) from Cincinnati, Ohio, to Upper Darby, Pa.; (12) from Detroit, Mich., to Pittsburgh, Pa.; (13) from Trenton, N.J., to points in Pennsylvania (except points in Philadelphia, Chester and Delaware Counties, Pa.); (14) from Baltimore, Md., to Philadelphia, Pa., and points in New Jersey; (15) from Detroit, Mich., to Harrisburg, Lancaster, and York, Pa.; (16) from Cleveland, Ohio, to points in Pennsylvania on and east of U.S. Highway 15; (17) from Cumberland, Md., to York and Lancaster, Pa.; (18) from Latrobe, Pa., to points in Maryland and New Jersey; (19) from New York, N.Y., and Newark, N.J., to York, Pa., and points in Pennsylvania within 35 miles thereof; (20) from Utica, N.Y., to points in Pennsylvania, and points in that part of New Jersey on and south of U.S. Highway 22 from the New Jersey-Pennsylvania State line to Hillside, N.J., and on and south of the boundary line between Essex and Union Counties, N.J., from Hillside, N.J., to the eastern boundary line of New Jersey.

(21) From Baltimore, Md., to York, Pa., (22) from Williamsport, Pa., to points on Long Island, N.Y., and points in New Jersey, Maryland, Virginia, and the District of Columbia, and (23) from Newark, N.J., to Olean, Hornell, and Jamestown, N.Y., and points in that portion of New York (except Albany, Syracuse, Utica, Saratoga Springs, and Saran Lake, N.Y.), on the north of U.S.

Highway 20 from the Massachusetts-New York State line to junction Alternate U.S. Highway 20 at or near East Bloomfield, N.Y., thence along Alternate U.S. Highway 20 to junction U.S. Highway 62 at or near Big Tree, N.Y., and thence along unnumbered New York Highway to Lake Erie. Note: Applicant states it is presently authorized to transport malt beverages from and to all of the points named herein, and seeks authority to transport advertising material only as an incidental movement in connection with and as part of the transportation of malt beverages. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 117119 (Sub-No. 210), filed June 1, 1965. Applicant: **WILLIS SHAW FROZEN EXPRESS, INC.**, Elm Springs, Ark. Applicant's attorney: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry drugs, tonics, and medicines, and insecticides, and disinfectants, and supplies used in preparation and packaging of these commodities*, in vehicles equipped with mechanical refrigeration (except commodities in bulk, in tank vehicles), from Vineland, N.J., to points in Minneapolis, Minn., and Davenport, and Des Moines, Iowa. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117119 (Sub-No. 211), filed June 1, 1965. Applicant: **WILLIS SHAW FROZEN EXPRESS, INC.**, Elm Springs, Ark. Applicant's attorney: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry drugs, tonics, and medicines, and insecticides and disinfectants and supplies, used in preparation and packaging of these commodities*, in vehicles equipped with mechanical refrigeration (except commodities in bulk, in tank vehicles), from Vineland, N.J., to Forest, Miss. Note: If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 117119 (Sub-No. 212), filed June 1, 1965. Applicant: **WILLIS SHAW FROZEN EXPRESS, INC.**, Elm Springs, Ark. Applicant's attorney: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry drugs, tonics, and medicines, and insecticides, and disinfectants, and supplies, used in preparation and packaging of these commodities*, in vehicles equipped with mechanical refrigeration (except commodities in bulk, in tank vehicles), from Vineland, N.J., to Los Angeles, Calif. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117439 (Sub-No. 15), filed May 28, 1965. Applicant: **BULK TRANSPORT INC.**, U.S. Highway 190, Post Office Box 89, Port Allen, La. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, in tank

and hopper-type vehicles, from New Orleans and Baton Rouge, La. to points in Alabama and Florida. Note: If a hearing is deemed necessary, applicant requests it be held at New Orleans or Baton Rouge, La.

No. MC 117954 (Sub-No. 19), filed May 24, 1965. Applicant: **H. L. HERMAN, JR.**, 4928 Jefferson Highway, Post Office Box 23339, New Orleans, La., 70121. Applicant's attorney: Harold R. Ainsworth, 2307 American Bank Building, New Orleans 12, La. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Freeport, Tex., to points in Arkansas, Colorado, Iowa, Kansas, Louisiana, Minnesota, Missouri, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, and Texas. Note: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 118130 (Sub-No. 16), filed June 1, 1965. Applicant: **BEN HAMRICK, INC.**, 2000 Chelsea Drive West, Fort Worth, Tex. Applicant's attorney: M. Ward Bailey, 24th Floor, Continental Life Building, Fort Worth, Tex., 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods* (except frozen meats), from Kansas City, Kans., and Kansas City, Mo., to points in Alabama, Arkansas, Georgia, Louisiana, Mississippi, Tennessee, and Texas, and exempt commodities, on return. Note: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 118130 (Sub-No. 17), filed June 1, 1965. Applicant: **BEN HAMRICK, INC.**, 2000 Chelsea Drive West, Fort Worth, Tex. Applicant's attorney: M. Ward Bailey, 24th Floor, Continental Life Building, Fort Worth, Tex., 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in sections A, B, and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from points in Colorado, on and north of U.S. Highway 40 and on and east of U.S. Highway 87, to points in North Carolina, South Carolina, Georgia, Alabama, and Florida, and exempt commodities, on return. Note: If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 118130 (Sub-No. 18), filed June 1, 1965. Applicant: **BEN HAMRICK, INC.**, 2000 Chelsea Drive West, Fort Worth, Tex. Applicant's attorney: M. Ward Bailey, 24th Floor, Continental Life Building, Fort Worth 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Freeport, Tex., to points in Arkansas, Colorado, Iowa, Kansas, Louisiana, Minnesota, Missouri, Nebraska, New Mexico, North Dakota, South Dakota, Oklahoma, and Texas. Note: If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans.

No. MC 118130 (Sub-No. 19), filed June 1, 1965. Applicant: **BEN HAMRICK,**

INC., 2000 Chelsea Drive West, Fort Worth, Tex. Applicant's attorney: M. Ward Bailey, Continental Life Building, Fort Worth 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Belvidere, Ill., to points in Alabama, Arkansas, Iowa, Florida, Georgia, Louisiana, Mississippi, Missouri, Nebraska, Kansas, Oklahoma, Tennessee, and Texas, and *exempt commodities*, on return. Note: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 118130 (Sub-No. 20), filed June 1, 1965. Applicant: BEN HAMRICK, INC., 2000 Chelsea Drive West, Fort Worth, Tex. Applicant's attorney: M. Ward Bailey, Continental Life Building, Fort Worth 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from points in Dakota County, Nebr., to points in Alabama, Arkansas, California, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin, and *exempt commodities*, on return. Note: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 118130 (Sub-No. 21), filed June 1, 1965. Applicant: BEN HAMRICK, INC., 2000 Chelsea Drive West, Fort Worth, Tex. Applicant's attorney: M. Ward Bailey, 24th Floor, Continental Life Building, Fort Worth, Tex., 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Hidalgo County, Tex., to points in Alabama, Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Virginia, West Virginia, and Wisconsin, and *exempt commodities*, on return. Note: If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 118130 (Sub-No. 22), filed June 1, 1965. Applicant: BEN HAMRICK, INC., 2000 Chelsea Drive West, Fort Worth, Tex. Applicant's attorney: M. Ward Bailey, 24th Floor, Continental Life Building, Fort Worth, Tex., 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared foodstuffs* requiring refrigeration, from Denison, Tex., to points in Arkansas, Louisiana, Mississippi, Missouri, and Mobile, Ala., and Pensacola, Fla., and *exempt commodities*, on return. Note: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 118130 (Sub-No. 23), filed June 1, 1965. Applicant: BEN HAMRICK, INC., 2000 Chelsea Drive West, Fort Worth, Tex. Applicant's attorney: M. Ward Bailey, 24th Floor, Con-

tinental Life Building, Fort Worth, Tex., 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Wichita, Kans., to points in Alabama, Arkansas, California, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin, and *exempt commodities* on return. Note: If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 118130 (Sub-No. 24), filed June 1, 1965. Applicant: BEN HAMRICK, INC., 2000 Chelsea Drive West, Fort Worth, Tex. Applicant's attorney: M. Ward Bailey, Continental Life Building, Fort Worth, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Russellville, Ark., to points in Alabama, Arizona, California, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin, and *exempt commodities* on return. Note: Applicant does not specify place of hearing if one is deemed necessary.

No. MC 118130 (Sub-No. 25), filed June 1, 1965. Applicant: BEN HAMRICK, INC., 2000 Chelsea Drive West, Fort Worth, Tex. Applicant's attorney: M. Ward Bailey, Continental Life Building, Fort Worth, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts, dairy products, and articles distributed by meat packinghouses* as described in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from (1) Lexington, Nebr., and points within 5 miles thereof, (2) Minden, Nebr., and points within 5 miles thereof, and (3) Darr, Nebr., and points within 5 miles thereof, to points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nevada, North Carolina, Ohio, Oklahoma, Oregon, South Carolina, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, and Wisconsin, and *exempt commodities* on return. Note: Applicant does not specify place of hearing if one is deemed necessary.

No. MC 118196 (Sub-No. 29) (AMENDMENT), filed March 15, 1965, published in FEDERAL REGISTER issue of April 1, 1965, and republished as amended this issue. Applicant: RAYE & COMPANY TRANSPORTS, INC., Post Office Box 613, Hiway 71 North, Carthage, Mo. Applicant's attorney: Harry Ross, Warner Building, Washington, D.C., 20004.

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products and articles distributed by meat packinghouses*, as defined by the Commission, from points in Dakota County, Nebr., and Sioux City, Iowa, to points in California, Arizona, Washington, Oregon, Nevada, Idaho, Montana, Wyoming, Utah, Colorado, New Mexico, North Dakota, South Dakota, Kansas, Iowa, Minnesota, Wisconsin, Missouri, Oklahoma, Arkansas, Texas, Louisiana, Illinois, Mississippi, Alabama, Georgia, Florida, and Tennessee. Note: The purpose of this republication is to add Sioux City, Iowa, as an origin point. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Omaha, Nebr.

No. MC 119422 (Sub-No. 31), filed June 1, 1965. Applicant: EE-JAY MOTOR TRANSPORTS, INC., 15th and Lincoln, East St. Louis, Ill. Applicant's attorney: Ernest A. Brooks II, 1301-02 Ambassador Building, St. Louis, Mo., 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Limestone, limestone products, and mineral filler*, from points in Monroe County, Ill., to points in Missouri on and east of U.S. Highway 65. Note: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 119485 (Sub-No. 1), filed June 3, 1965. Applicant: HURDMAN BROS. LIMITED, Innes Road, Mobile Route No. 1, Ottawa 7, Ontario, Canada. Applicant's representative: William D. Traub, 10 East 40th Street, New York, N.Y., 10016. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which because of size or weight requires the use of special equipment, *related machinery parts, related contractors' materials and supplies* when their transportation is incidental to the transportation of commodities which by reason of size or weight require special equipment, between the ports of entry located on the international boundary line between the United States and Canada located along the St. Lawrence River westward from and including Roosevelt, N.Y., to and including Alexandria Bay, N.Y., on the one hand, and, on the other, points in New York, New Jersey, Pennsylvania, Maine, New Hampshire, Vermont, Connecticut, Massachusetts, and Rhode Island, restricted to traffic moving in foreign commerce, originating at or destined to points in Canada. Note: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 119531 (Sub-No. 40), filed June 3, 1965. Applicant: DIECKBRADER EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio. Applicant's attorney: Charles W. Singer, 33 North La Salle Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glassware and glass containers*, with or without caps, covers or stoppers, and *paper cartons*, used in the packing of glassware and glass containers, from Winchester, Ind., to points in Illinois,

Kentucky, Michigan, Missouri, Ohio, and Wisconsin, and damaged and rejected shipments of the commodities specified above, on return. **NOTE:** If a hearing is deemed necessary, applicant does not specify any particular place.

No. MC 119641 (Sub-No. 56), filed June 1, 1965. Applicant: RINGLE EXPRESS, INC., 405 South Grant Avenue, Fowler, Ind. Applicant's attorney: Robert C. Smith, 512 Illinois Building, Indianapolis 4, Ind. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Tractors (not including tractors with vehicle beds, bed frames or fifth wheels, or those, which because of size or weight, require the use of special equipment), and attachments and parts thereof when transported in the same vehicle, at the same time, from New Orleans, La., to points in Alabama located within and west of Madison, Morgan, Cullman, Walker, Fayette, Pickens, Greene, Hale, Marengo, Clarke, and Baldwin Counties, Ala.; points in Arkansas located within and south of Lee, Monroe, Arkansas, Jefferson, Grant, Hot Spring, Pike, Howard, and Sevier Counties, Ark.; points in Kentucky located within and west of Breckinridge, Grayson, Hart, Green, Adair, Russell, and Wayne Counties, Ky.; and points in Louisiana, Mississippi, and Tennessee (except those located within Marion, Sequatchie, Hamilton, Rhea, Meigs, McMinn, Bradley, Monroe, and Polk Counties, Tenn.), and damaged and rejected shipments, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 119702 (Sub-No. 16), filed May 28, 1965. Applicant: STAHLY CARTAGE COMPANY, a corporation, 130-A Hillsboro Avenue, Edwardsville, Ill. Applicant's attorney: Leonard A. Jaskiewicz, Madison Building, 1155 15th Street NW., Washington, D.C., 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Anhydrous ammonia, ammonium nitrate, urea, nitric acid, sulphuric acid, and fertilizer solutions, liquid, in bulk, in tank vehicles, from the plantsite of the American Cyanamid Co. at South River, Mo. (located near Palmyra), in Marion County, Mo., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 119767 (Sub-No. 83), filed May 24, 1965. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Offal, derived from the slaughter and/or processing of livestock, poultry, and/or fish, (1) from Austin, Minn., and Detroit, Mich., to points in Illinois, and (2) from Glasgow, Ky., to points in Illinois and Wisconsin. **NOTE:** If a hearing is deemed necessary, ap-

plicant requests it be held at Chicago, Ill.

No. MC 119767 (Sub-No. 85), filed June 4, 1965. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, meat byproducts, dairy products, and frozen foods, restricted against the transportation of commodities in bulk, from points in Coles County, Ill., to points in Kentucky. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119934 (Sub-No. 95), filed May 28, 1965. Applicant: ECOFF TRUCKING, INC., 625 East Broadway, Fortville, Ind. Applicant's attorney: Leonard A. Jaskiewicz, Madison Building, 1155 15th Street NW., Washington, D.C., 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Anhydrous ammonia, ammonium nitrate, urea, nitric acid, sulphuric acid, and fertilizer solutions, liquid, in bulk, in tank vehicles, from the plantsite of the American Cyanamid Co. at South River, Mo. (located near Palmyra), in Marion County, Mo., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 119934 (Sub-No. 96), filed June 1, 1965. Applicant: ECOFF TRUCKING, INC., Fortville, Ind. Applicant's attorney: Robert C. Smith, 512 Illinois Building, Indianapolis, Ind. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Flour, in bulk from Decatur, Ill., to Indianapolis, Ind., and damaged and rejected shipments of the commodity specified above, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 123393 (Sub-No. 59) (AMENDMENT), filed March 15, 1965, published FEDERAL REGISTER issue April 1, 1965, and republished as amended this issue. Applicant: BILYEU REFRIGERATED TRANSPORT CORPORATION, 1914 East Blaine Street, Springfield, Mo. Applicant's attorney: Herman W. Huber, 101 East High Street, Jefferson City, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, meat byproducts and articles distributed by meat packinghouses, as described in appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, from points in Dakota County, Nebr., and Sioux City, Iowa, to points in Maine, Vermont, New Hampshire, Rhode Island, Massachusetts, Connecticut, New York, Pennsylvania, New Jersey, Maryland, Delaware, West Virginia, Virginia, North Carolina, South Carolina, Alabama, Georgia, Florida, Missouri, and Washington, D.C., and exempt commodities, on return. **NOTE:**

The purpose of this republication is to add the origin point of Sioux City, Iowa. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Omaha, Nebr.

No. MC 124078 (Sub-No. 131) (AMENDMENT), filed March 15, 1965, published FEDERAL REGISTER issue April 1, 1965, and republished as amended this issue. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis. 53246. Applicant's attorney: James R. Ziperski, 611 South 28th Street, Milwaukee, Wis., 53246. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fertilizer, fertilizer ingredients, acids, and chemicals, in bulk, in tank vehicles, from East Dubuque, Ill., and points in Illinois, within 10 miles thereof, to points in Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, South Dakota, Wisconsin, Ohio, Kentucky, and Michigan. **NOTE:** The purpose of this republication is to (1) delete anhydrous ammonia and fertilizer materials; (2) restrict the commodity description to bulk, in tank vehicles and (3) add the destination States of Ohio, Kentucky, and Michigan. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124147 (Sub-No. 3) filed June 1, 1965. Applicant: ALAN P. GEREG, INC., 32 Holley Street, Danbury, Conn. Applicant's attorney: Sidney L. Goldstein, 109 Church Street, New Haven, Conn. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Gravel and sand, from points in Dutchess County, N.Y., to points in Fairfield and Litchfield Counties, Conn. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn.

No. MC 124174 (Sub-No. 35), filed June 14, 1965. Applicant: MOMSEN TRUCKING COMPANY, a corporation, Highways 71 and 18 North, Box 309, Spencer, Iowa, 51301. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Anhydrous ammonia and fertilizer solutions, in bulk, in tank vehicles, and dry fertilizers and fertilizer compounds, from the plantsite of Cominco Products, Inc. located at or near Hoag, Nebr., to points in Iowa, Kansas, South Dakota, Minnesota, Missouri, and Illinois. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 124796 (Sub-No. 12), filed May 27, 1965. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 7236 East Slauson, Los Angeles, Calif. Applicant's attorney: J. Max Harding, Box 2028, Lincoln, Nebr. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Upholstery and carpet tacking rims, strips, and nails, adhesive cement, iron and steel doors, and hardware therefor, mechanic hand tools, advertising materials, and racks, and stands therefor, from points in Los Angeles, Orange, and Riverside Counties, Calif., points in Clark County, Wash., points in Multnomah County, Oreg., and points in Montgomery County, Ohio, to points in the

United States (except points in Maine, Vermont, New Hampshire, Alaska, and Hawaii). **NOTE:** Applicant states the proposed service is limited to a continuing contract with Roberts Consolidated Industries, Inc., of City of Industry, Calif. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Los Angeles, Calif.

No. MC 125915 (Sub-No. 2), filed June 1, 1965. Applicant: WAYNE INGERSOLL, doing business as INGERSOLL TRANSFER, Rural Route 1, Waverly, Iowa. Applicant's attorney: William B. Mooney, First National Bank Building, Waverly, Iowa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Beverage preparation*, dry, from Chilton, Wis., to Waverly, Iowa. **NOTE:** Applicant states that the proposed operation will be under contract with Carnation Co., Waverly, Iowa (general offices Carnation Building, Los Angeles, Calif.). If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 125932 (Sub-No. 2), filed May 24, 1965. Applicant: KENZIE BIDDLE AND GENE FLAUGHER, a partnership, doing business as BIDDLE & FLAUGHER, Rural Route No. 1, Foster, Ky. Applicant's attorney: Jack B. Josselson, Atlas Bank Building, Cincinnati, Ohio, 45202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Milk products, milk byproducts, and fruit juices, fruit drinks, and fruit segments*, in containers (except such products when unfrozen and in hermetically sealed containers), from the plantsite of French Bauer, division of The Co-Operative Pure Milk Association, located at Cincinnati, Ohio, to points in Kentucky, east of a line beginning at the Kentucky-Indiana State line and extending along U.S. Highway 421 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Kentucky-Tennessee State line, including points on and within three (3) miles of the indicated portions of the highways specified. **NOTE:** Applicant states the purpose of the above proposed operation is to add the origin point of the plantsite to applicant's present authority. If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio.

No. MC 125956 (Sub-No. 3), filed June 9, 1965. Applicant: JOHNSON BROTHERS TRUCKING CO., a corporation, 516 Valley Drive SE., Vienna, Va. Applicant's attorney: Louis Reznick, 5009 Keokuk Street, Washington 16, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Brick, cement, cinder and concrete block, sand, gravel, lintel, flue-lining, fire-place dampers, clean-out doors, and ash-dumps*, from Washington, D.C., points in Montgomery, Charles, and Prince Georges Counties, Md., to Herndon, Va. **NOTE:** Applicant states the proposed service to be for the account of the Cherrydale Cement Block Co., of Herndon, Va. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 125996 (Sub-No. 3), filed May 24, 1965. Applicant: JENSEN TRUCKING CO., INC., 807 Washington Street, Gothenburg, Nebr. Applicant's attorney: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commercial feeds and feed ingredients*, (1) between points in Idaho, on the one hand, and, on the other, points in Arkansas, Colorado, Montana, Nevada, New Mexico, Utah, and Wyoming, and (2) from points in Iowa, to points in Nebraska on and west of U.S. Highway 281. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 126899 (Sub-No. 14), filed June 1, 1965. Applicant: USHER TRANSPORT, INC., 1415 South Third Street, Paducah, Ky. Applicant's attorney: George M. Catlett, Suite 703-706, McClure Building, Frankfort, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Blends of liquid sugar with corn syrup, corn sugars and syrups, and blends thereof, invert sugar, liquid sugar, and syrup, and flavoring*, in bulk, in tank trucks, from Cincinnati, Ohio, to points in Kentucky, West Virginia, Tennessee, Indiana, and Pennsylvania, and *damaged and rejected shipments*, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio.

No. MC 127172 (AMENDMENT) filed April 19, 1965, published *FEDERAL REGISTER* issue of May 5, 1965, amended June 7, 1965, and republished as amended this issue. Applicant: PHILIP MARGOLIES, doing business as BI-STATE CARRIERS, 140 Clyde Street, Evanston, Ill., 60202. Applicant's representative: George S. Mullins, 4704 West Irving Park Road, Chicago, Ill., 60641. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Camp baggage, including all personal effects of children and/or adults*, while going to or from camp or while at camp, (1) between Chicago, Ill., and points in De Kalb, Cook, Du Page, Grundy, Kane, Kendall, Kankakee, Lake, McHenry, and Will Counties, Ill., on the one hand, and, on the other, points in Michigan, Minnesota, and Wisconsin and (2) between points in Michigan, Minnesota, and Wisconsin. **NOTE:** The purpose of this republication is to add ten (10) counties in Illinois to authority sought in (1) above. Applicant states the proposed operations will be seasonal between May 1st and October 30th both inclusive, of each year. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 127203, filed April 23, 1965. Applicant: GREENHOUSE HAULERS, INC., 430 West Bagley Road, Berea, Ohio. Applicant's attorney: George S. Maxwell, Suite 948, Leader Building, Cleveland, Ohio, 44114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable packinghouse products*, from Berea, Ohio to points in Ohio,

Michigan, Indiana, Illinois, Wisconsin, Kentucky, West Virginia, Virginia, Pennsylvania, Maryland, Delaware, New Jersey, and New York, and *materials and supplies used and sold by the shipper and refused, rejected, and damaged shipments*, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 127215 (Sub-No. 1), filed May 28, 1965. Applicant: KENDRICK CARTAGE CO., a corporation, Post Office Box 63, Salem, Ill. Applicant's attorney: Leonard A. Jaskiewicz, 1155 Fifteenth Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, ammonium nitrate, urea, nitric acid, sulphuric acid, and fertilizer solutions*, liquid, in bulk, in tank vehicles, from the plantsite of the American Cyanamid Co. at South River, Mo. (located near Palmyra), in Marion County, Mo., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 127215 (Sub-No. 2), filed June 4, 1965. Applicant: KENDRICK CARTAGE COMPANY, a corporation, Post Office Box 63, Salem, Ill. Applicant's attorney: Leonard A. Jaskiewicz, Madison Building, 1155 15th Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium nitrate, urea, fertilizer materials, and fertilizer ingredients (other than liquid)*, from the plantsite of the American Cyanamid Co. at South River, Mo. (located near Palmyra), in Marion County, Mo., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. **NOTE:** Applicant has contract carrier authority under MC 110117 and Subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 127221 (AMENDMENT), filed April 26, 1965, published in *FEDERAL REGISTER* issue of May 19, 1965, amended June 10, 1965, and republished as amended this issue. Applicant: WILLIAM C. RACINE, 2676 Carpenter Road, Lapeer, Mich. Applicant's attorney: Walter N. Bleneman, Suite 1700, One Woodward Avenue, Detroit, Mich., 48226. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Prepared foods*, requiring mechanically refrigerated equipment, in shipper-owned and carrier-owned trailers, between Kalamazoo and Flint, Mich., on the one hand, and, on the other, points in Michigan. **NOTE:** The purpose of this republication is to broaden the scope of authority sought by adding Flint, Mich., to the territorial description. Applicant states

that the above proposed service will be performed under continuing contract with Dean Foods Co., Chicago, Ill. If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 127304 filed May 26, 1965. Applicant: CLEAR WATER TRUCK COMPANY, INC., 410 Fourth National Bank Building, Wichita, Kans. Applicant's attorney: James F. Miller, Suite N-13 Medical and Professional Building, 7501 Mission Road, Shawnee Mission, Kans. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fluorochloro hydrocarbons*, including monofluoromethane, dichlorofluoromethane, and monochlorodifluoromethane, in containers, in cylinders, and in bulk, from Wichita, Kans., to points in the United States (except Alaska and Hawaii). NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans.

MOTOR CARRIERS OF PASSENGERS

No. MC 3647 (Sub-No. 373), filed June 8, 1965. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, a corporation, 180 Boyden Avenue, Maplewood, N.J. Applicant's attorney: Richard Fryling (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and express and newspapers*, in the same vehicle with passengers, (1) between junction U.S. Highway 1 and Milltown Road in North Brunswick Township, N.J., and Trenton, N.J., over U.S. Highway 1, serving all intermediate points, restricted against the transporting of passengers between New York, N.Y., on the one hand, and, on the other, points along U.S. Highway 1; between junction U.S. Highways 1 and 130 in North Brunswick Township, N.J., and junction U.S. Highway 1 and Stout's Lane in South Brunswick Township, N.J.; (2) between junction U.S. Highway 1 and New Jersey County Highway 571 in West Windsor Township, N.J., and junction New Jersey County Highway 571 and New Jersey Highway 33 in Hightstown, N.J., over New Jersey County Highway 571, serving all intermediate points. NOTE: Applicant states that it intends to segment the above two routes with its existing routes and the proposed routes as described in MC 3647 (Sub-No. 368). If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 60325 (Sub-No. 5), filed April 9, 1965. Applicant: JEFFERSON TRANSPORTATION COMPANY, a corporation, 1114 Currie Avenue, Minneapolis, Minn. Applicant's attorney: D. C. Nolan, 402 Iowa State Bank Building, Iowa City, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and express, newspapers, and mail*, in the same vehicle with passengers, (1) between Minneapolis, Minn., and Kansas City, Mo., over Interstate Highway 35, serving all intermediate points; (2) between junction Interstate Highway 35 and U.S. Highway 18 and Mason City, Iowa, over U.S. Highway 18, serving all

intermediate points; (3) between junction Interstate Highway 35 and Iowa Highway 106 and Mason City, Iowa, over Iowa Highway 106, serving all intermediate points; and (4) between junction Interstate Highway 35 and U.S. Highway 20 and Iowa Falls, Iowa, over U.S. Highway 20, serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 123655 (Sub-No. 3), filed June 1, 1965. Applicant: SOUTHERN TIER STAGES, INC., 375 State Street, Binghamton, N.Y. Applicant's attorney: James E. Wilson, Perpetual Building, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express in the same vehicle with passengers*, between Montrose, Pa., and Scranton, Pa., from Montrose over Pennsylvania Highway 29 to Tunkhannock, Pa., thence over Pennsylvania Highway 307 to Scranton, and return over the same route, serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Scranton, Pa.

No. MC 127302, filed May 25, 1965. Applicant: FOX RIVER BUS LINES, INC., 1014-1018-1024 West Wisconsin Avenue, Appleton, Wis. Applicant's attorney: William C. Dineen, 412 Empire Building, 710 North Plankinton Avenue, Milwaukee, Wis., 53203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage in the same vehicle with passengers*, in round trip charter operations, beginning and ending at points in Winnebago and Outagamie Counties, Wis., and extending to points in the United States (except Alaska, Hawaii, California, Oregon, Washington, Montana, Idaho, Utah, Arizona, and Nevada). NOTE: If a hearing is deemed necessary, applicant requests it be held at Appleton, Wis.

APPLICATION FOR BROKERAGE LICENSE

MOTOR CARRIER OF PROPERTY

No. MC 12956, filed May 28, 1965. Applicant: ROBERT E. SWANSON, doing business as SWANSON BROKERAGE, 1211 South Sixth Street, Stillwater, Minn. For a license (BMC 4) to engage in operations as a *broker* at Stillwater, Minn., in arranging for the transportation in interstate or foreign commerce, of *general commodities* (except articles of unusual value, Classes A and B explosives, household good and commodities injurious or contaminating to other lading), between points in the United States, including the ports of entry located on the international boundary line between the United States and Canada.

APPLICATION FOR FREIGHT FORWARDERS

FREIGHT FORWARDER OF PROPERTY

No. FF-317 (VANPAC CARRIERS, INC.) FREIGHT FORWARDER APPLICATION, filed June 7, 1965. Applicant: VANPAC CARRIERS, INC., 2114 MacDonald Avenue, Richmond, Calif. Applicant's attorney: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C., 20006. Authority sought under

part IV of the Interstate Commerce Act as a *freight forwarder* in interstate or foreign commerce, in the forwarding of *used household goods, used automobiles, and unaccompanied baggage*, between points in the United States, including Alaska and Hawaii.

APPLICATIONS FOR WATER CARRIERS

WATER CARRIERS OF PROPERTY

No. W-5 (Sub-No. 5) (IGERT-EXTENSION-ARKANSAS RIVER), filed June 7, 1965. Applicant: IGERT, Post Office Box 606, Paducah, Ky. Applicant's attorney: John C. Lovett, Lovett Building, Benton, Ky. Application of Igert filed June 7, 1965, for a revised certificate authorizing extension of its operations to include operation as a *common carrier* by water in interstate or foreign commerce, by non-self-propelled vessels with the use of separate towing vessels in the transportation of *general commodities*, and by towing vessels in the performance of general towage (a) between ports and points along the Verdigris River and its tributaries and the Arkansas River and its tributaries from Catoosa, Okla., to the confluence of the Arkansas River with the Mississippi River, including the Arkansas Post Canal and the White River, and (b) between ports and points specified in (a) above, on the one hand, and, on the other, ports and points on the rivers and waterways which applicant is presently authorized to serve; namely, between ports and points along the Tennessee River and its tributaries, the Cumberland River, and its tributaries, below and including Carthage, Tenn., the Green River and its tributaries, and the Ohio River below and including the mouth of the Green River.

No. W-114 (Sub-No. 3) (ARROW TRANSPORTATION CO.-EXTENSION-ARKANSAS RIVER), filed June 10, 1965. Applicant: ARROW TRANSPORTATION COMPANY, Sheffield, Ala. Applicant's attorney: John C. Lovett, Lovett Building, Benton, Ky. Application of Arrow Transportation Co. filed June 10, 1965, for a revised certificate authorizing extension of its operations to include operation as a *common carrier* by water in interstate or foreign commerce, by non-self-propelled vessels with the use of separate towing vessels in the transportation of *general commodities*, and by towing vessels in the performance of general towage, (1) between ports and points along the Arkansas River and its tributaries and the Verdigris River and its tributaries from Catoosa, Okla., to the confluence of the Arkansas River with the Mississippi River, including the Arkansas Post Canal and the White River, and (2) between ports and points specified in (1) above, on the one hand, and, on the other, ports and points along the Tennessee River and its tributaries and ports and points along the Ohio and Mississippi Rivers from Louisville, Ky., to St. Louis, Mo., inclusive.

No. W-381 (Sub-No. 12) (FEDERAL BARGE LINES, INC.-EXTENSION-ARKANSAS RIVER), filed June 10, 1965. Applicant: FEDERAL BARGE LINES, INC., 611 East Marceau Street, St. Louis, Mo. Application of Federal Barge Lines,

Inc. filed June 10, 1965, for a revised certificate authorizing extension of its operations to include operation as a *common carrier* by water in interstate or foreign commerce, by non-self-propelled vessels with the use of separate towing vessels in the transportation of *general commodities* and by towing vessels in the performance of general towage (a) between ports and points along the Verdigris River and the Arkansas River from Catoosa, Okla., to the confluence of the Arkansas River with the Mississippi River including the Arkansas Post Canal; and (b) between ports and points specified in (a) above, on the one hand, and, on the other, ports and points which applicant is presently authorized to serve pursuant to its certificate of public convenience and necessity issued February 17, 1964, in Docket No. W-381, as amended.

No. W-923 (Sub-No. 13) (GULF-CANAL LINES, INC.—EXTENSION—ARKANSAS RIVER) filed June 10, 1965. Applicant: GULF-CANAL LINES, INC., 611 East Marceau Street, St. Louis, Mo. Application of Gulf-Canal Lines, Inc. filed June 10, 1965, for a revised certificate authorizing extension of its operations to include operation as a *common carrier* by water in interstate or foreign commerce, by non-self-propelled vessels with the use of separate towing vessels in the transportation of *general commodities*, and by towing vessels in the performance of general towage between ports and points along the Verdigris River and the Arkansas River from Catoosa, Okla., to the confluence of the Arkansas River with the Mississippi River including the Arkansas Post Canal, on the one hand, and, on the other, ports and points which applicant is presently authorized to serve pursuant to its certificate of public convenience and necessity issued March 24, 1964, in Docket No. W-923, as amended.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

MOTOR CARRIERS OF PROPERTY

No. MC 531 (Sub-No. 189), filed May 24, 1965. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Houston, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum powder*, in bulk, in tank vehicles, from Alcoa, Tenn., and Louisville, Ky., to Westlake, La.

No. MC 1824 (Sub-No. 35), filed February 26, 1965. Applicant: PRESTON TRUCKING COMPANY, INC., 151 Easton Boulevard, Preston, Md. Applicant's attorney: William J. Little, 1513 Fidelity Building, Baltimore, Md., 21201. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except dangerous explosives, livestock, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment), (1) between Baltimore, Md., and Pittsburgh, Pa.; from Baltimore over U.S. Highway 40 to Hagerstown, Md., thence over U.S. Highway 11 to Chambersburg, Pa., thence

over U.S. Highway 30 to Pittsburgh, and return over the same route, serving all intermediate points and all off-route points within 10 miles of the above specified highways; (2) between Baltimore, Md., and Buffalo, N.Y.; from Baltimore over U.S. Highway 111 to Lemoyne, Pa., thence over U.S. Highway 15 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction New York Highway 130, thence over New York Highway 130 to Buffalo, and return over the same route, serving all intermediate points and all off-route points within 10 miles of the above specified highways; (3) between Baltimore, Md., and Rochester, N.Y.; from Baltimore over U.S. Highway 111 to Lemoyne, Pa., thence over U.S. Highway 15 to Rochester, and return over the same route, serving all intermediate points and all off-route points within 10 miles of the above specified highways; (4) between Baltimore, Md., and Syracuse, N.Y.; from Baltimore over U.S. Highway 111 to Lemoyne, Pa.

Thence over U.S. Highway 11 to Syracuse, and return over the same route, serving all intermediate points and all off-route points within 10 miles of the above specified highways, and as off-route points all points on and within 10 miles of New York Highway 57 between Syracuse and Fulton, N.Y., including Fulton; and the off-route point of Utica, N.Y.; (5) between Wilmington, Del., and Pittsburgh, Pa.; from Wilmington over Delaware Highway 48 to junction Delaware Highway 41, thence over Delaware Highway 41 to the Delaware-Pennsylvania State line, thence over Pennsylvania Highway 41 (via Gap, Pa.) to junction U.S. Highway 30, thence over U.S. Highway 30 to junction U.S. Highway 230, thence over U.S. Highway 230 to Harrisburg, Pa., thence over Pennsylvania Turnpike to Pittsburgh, and return over the same route, serving all intermediate points and off-route points within 10 miles of above specified numbered highways; (6) between Philadelphia, Pa., and Buffalo, N.Y., from Philadelphia over U.S. Highway 309 to junction U.S. Highway 11, thence over U.S. Highway 11 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction New York Highway 130, thence over New York Highway 130 to Buffalo, and return over the same route, serving all intermediate points and off-route points within 10 miles of the above specified highways; (7) between Philadelphia, Pa., and Rochester, N.Y.; from Philadelphia over U.S. Highway 309 to junction U.S. Highway 11, thence over U.S. Highway 11 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction U.S. Highway 15, thence over U.S. Highway 15 to Rochester, and return over the same route, serving all intermediate points and off-route points within 10 miles of the above specified highways; (8) between Philadelphia, Pa., and Syracuse, N.Y.; from Philadelphia over U.S. Highway 309 to junction U.S. Highway 11, thence over U.S. Highway 11 to Syracuse, and return over the same route, serving all intermediate points and off-route points within 10 miles of the above specified highways, and as off-route points all points on and within 10 miles

of New York Highway 57 between Syracuse and Fulton, N.Y., including Fulton; and the off-route point of Utica, N.Y.; (9) between Jersey City, N.J., and Buffalo, N.Y.; from Jersey City over U.S. Highway 22 to junction New Jersey Highway 69.

Thence over New Jersey Highway 69 to junction U.S. Highway 46, thence over U.S. Highway 46 to junction U.S. Highway 611, thence over U.S. Highway 611 to junction Pennsylvania Highway 307, thence over Pennsylvania Highway 307 to Scranton, Pa., thence over U.S. Highway 11 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction New York Highway 130, thence over New York Highway 130 to Buffalo, and return over the same route, serving all intermediate and off-route points within 10 miles of U.S. Highway 22, all intermediate and off-route points on and within 10 miles of U.S. Highway 11, all intermediate and off-route points within 10 miles of U.S. Highway 20 and New York Highway 130, and the off-route points on and within 10 miles of U.S. Highway 15 between the junction of U.S. Highways 20 and 15 and Rochester, N.Y., including Rochester, N.Y.; (10) between Jersey City, N.J., and Syracuse, N.Y.; from Jersey City over U.S. Highway 22 to junction New Jersey Highway 69, thence over New Jersey Highway 69 to junction U.S. Highway 46, thence over U.S. Highway 46 to junction U.S. Highway 611, thence over U.S. Highway 611 to junction Pennsylvania Highway 307, thence over Pennsylvania Highway 307 to Scranton, Pa., thence over U.S. Highway 11 to Syracuse, and return over the same route, serving all intermediate and off-route points within 10 miles of U.S. Highway 22, all intermediate and off-route points on and within 10 miles of U.S. Highway 11 between Scranton, Pa., and Syracuse, N.Y., and the off-route point of Utica, N.Y., and all off-route points on and within 10 miles of New York Highway 57 between Syracuse and Fulton, N.Y., including Fulton; (11) between Jersey City, N.J., and Syracuse, N.Y.; from Jersey City over U.S. Highway 9W (also over U.S. Highway 9 to Poughkeepsie, N.Y., thence over Hudson River Bridge to U.S. Highway 9W) to junction New York Highway 5, thence over New York Highway 5 to Utica, N.Y.

Thence over New York Thruway to Syracuse, and return over the same route, serving all intermediate and off-route points on and within 10 miles of U.S. Highways 9, 9W and New York Highway 5, between Jersey City, N.J., and Utica, N.Y.; (12) between Jersey City, N.J., and Pittsburgh, Pa.; from Jersey City over U.S. Highway 22 to junction U.S. Highway 222, thence over U.S. Highway 222 to junction U.S. Highway 30, thence over U.S. Highway 30 to Pittsburgh, and return over the same route, serving all intermediate and off-route points on and within 10 miles of U.S. Highways 22, 222, and 30 between Jersey City, N.J., and Gettysburg, Pa., and all intermediate and off-route points on and within 10 miles of U.S. Highway 30 between Chambersburg, Pa., and Pittsburgh, Pa.; (13) between Jersey

City, N.J., and Harrisburg, Pa.; from Jersey City over U.S. Highway 22 to junction U.S. Highway 222, thence over U.S. Highway 222 to junction U.S. Highway 322, thence over U.S. Highway 322 to junction U.S. Highway 422, thence over U.S. Highway 422 to Harrisburg, and return over the same route, serving all intermediate points and the off-route points within 10 miles of the above specified highways; (14) between Washington, D.C., and Pittsburgh, Pa.; from Washington over Interstate Highway 495 to junction Interstate Highway 70S, thence over Interstate Highway 70S to junction U.S. Highway 40, thence over U.S. Highway 40 to junction Interstate Highway 70, thence over Interstate Highway 70 to junction Pennsylvania Highway 126, thence over Pennsylvania Highway 126 to junction Pennsylvania Turnpike, thence over Pennsylvania Turnpike to Pittsburgh, and return over the same route, serving no intermediate points; and (15) between Pittsburgh, Pa., and Syracuse, N.Y.; from Pittsburgh over U.S. Highway 19 to junction Interstate Highway 90, thence over Interstate Highway 90 to Syracuse, and return over the same route, serving no intermediate points, serving Buffalo and Rochester, N.Y., as off-route points. **NOTE:** This application is filed pursuant to MC-C 4366, effective May 1, 1964, which provides the special rules for conversion of irregular to regular route motor carrier operations. **SPECIAL NOTE:** Protests to this application may be filed within 45 days instead of 30 days.

No. MC 4941 (Sub-No. 17), filed February 25, 1965. Applicant: QUINN FREIGHT LINES, INC., 1093 North Montello Street, Brockton, Mass. Applicant's attorney: Mary E. Kelley, 10 Tremont Street, Boston, Mass. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between Brockton and Gloucester, Mass., from Brockton over Massachusetts Highway 28 to junction of Massachusetts Highway 128, thence over Massachusetts Highway 128 to Gloucester, and return over the same route, serving all intermediate points, (2) between Brockton and Worcester, Mass., from Brockton over Massachusetts Highway 27 to its junction with Massachusetts Highway 9, thence over Massachusetts Highway 9 to Worcester, and return over the same route, serving all intermediate points, (3) between Brockton, Mass., and Providence, R.I., from Brockton over Massachusetts Highway 123 to its junction with U.S. Highway 1, thence over U.S. Highway 1 to Providence, and return over the same route, serving all intermediate points, (4) between Boston and Fall River, Mass., from Boston over Southeast Expressway to its junction with Massachusetts Highway 128, thence over Massachusetts Highway 128 to its junction with Massachusetts Highway 24, thence over Massachusetts Highway 24

to Fall River, and return over the same route, serving all intermediate points, (5) between Brockton and New Bedford, Mass., from Brockton over Massachusetts Highway 28 to Middleboro, Mass.

Thence over Massachusetts Highway 18 to New Bedford, and return over the same route, serving all intermediate points, (6) between Brockton and Plymouth, Mass., from Brockton over Massachusetts Highway 27 to its junction with Massachusetts Highway 3A, thence over Massachusetts Highway 3A to Plymouth, and return over the same route, serving all intermediate points, (7) between Taunton, Mass., and Providence, R.I., from Taunton over U.S. Highway 44 to Providence and return over the same route, serving all intermediate points, (8) between New Bedford, Mass., and Providence, R.I., from New Bedford over U.S. Highway 6 to Providence, and return over the same route, serving all intermediate points, (9) between Manchester, N.H., and Derby Line, Vt., from Manchester over Interstate Highway 93 to Plymouth, N.H. (also from Manchester over U.S. Highway 3A to its junction with New Hampshire Highway 25 at Rumney, N.H.), thence over New Hampshire Highway 25 to Haverhill, N.H., thence over New Hampshire Highway 10 to Wells River, Vt., thence over U.S. Highway 5 to the port of entry on the international boundary line between the United States and Canada located at Derby Line, Vt., and return over the same route, serving all intermediate points, (10) between Manchester and Berlin, N.H., from Manchester over Interstate Highway 93 to New Hampton, N.H., thence over New Hampshire Highway 104 to Meredith, N.H., thence over New Hampshire Highway 25 to West Ossipee, N.H., thence over New Hampshire Highway 16 to Berlin, and return over the same route, serving all intermediate points, (11) between Manchester and Berlin, N.H., from Manchester over U.S. Highway 3 to Suncook, N.H., thence over New Hampshire Highway 28 to Ossipee, N.H. (also from Manchester over U.S. Highway 3 to Meredith, N.H.), thence over New Hampshire Highway 25 to its junction with New Hampshire Highway 16 at West Ossipee; thence over New Hampshire Highway 16 to Berlin, and return over the same route, serving all intermediate points, (12) between Portsmouth, N.H., and Albany, N.Y., (a) from Portsmouth over New Hampshire Highway 101 to Keene, N.H., thence over New Hampshire Highway 9 to the New Hampshire-Vermont State line, thence over Vermont Highway 9 to the New York-Vermont State line.

Thence over New York Highway 7 to Albany, and return over the same route, serving all intermediate points, (b) from Portsmouth, over New Hampshire Highway 101 to Manchester, N.H., thence over Interstate Highway 93 to Andover, Mass., thence over Interstate Highway 495 to Southville, Mass., thence over Interstate Highway 90 to Selkirk, N.Y., thence over Interstate Highway 87 to Albany, N.Y. (also from Andover, Mass., over Interstate Highway 495 to Littleton, Mass., thence over Massachusetts High-

way 2 to its junction with New York Highway 2, thence over New York Highway 2 to Watervliet, N.Y., thence over New York Highway 32 to Albany), and return over the same route, serving all intermediate points, (13) between Manchester, N.H., and Rutland, Vt., from Manchester over Interstate Highway 93 to Bow, N.H., thence over Interstate Highway 89 to Hopkinton, N.H., thence over New Hampshire Highway 103 to New Hampshire-Vermont State line, thence over Vermont Highway 131 to Ludlow, Vt., thence over Vermont Highway 103 to Clarendon, Vt., thence over U.S. Highway 7 to Rutland, Vt., and return over the same route, serving all intermediate points, (14) between Keene, N.H., and Rutland, Vt., from Keene, N.H., over New Hampshire Highway 12 to its junction with U.S. Highway 5, thence over U.S. Highway 5 to its junction with Vermont Highway 103, thence over Vermont Highway 103 to Clarendon, Vt., thence over U.S. Highway 7 to Rutland, and return over the same route, serving all intermediate points, (15) between White River Junction and Rutland, Vt., from White River Junction over U.S. Highway 4 to Rutland, and return over the same route, serving all intermediate points, (16) between Manchester and Littleton, N.H., (a) from Manchester over Interstate Highway 93 to Littleton; and (b) from Manchester over U.S. Highway 3 to Franconia, N.H.

Thence over New Hampshire Highway 18 to Littleton, and return over the same routes, serving all intermediate points, (17) between White River Junction and South Royalton, Vt., from White River Junction over Vermont Highway 14 to South Royalton, and return over the same route, serving all intermediate points, (18) between Plymouth and Groveton, N.H., from Plymouth over U.S. Highway 3 to Groveton, and return over the same route, serving all intermediate points, (19) between Littleton and Whitefield, N.H., from Littleton over New Hampshire Highway 116 to Whitefield, and return over the same route, serving all intermediate points, (20) between Wells River and Burlington, Vt., from Wells River over U.S. Highway 302 to Montpelier, Vt., thence over Interstate Highway 89 to Burlington, and return over the same route, serving all intermediate points, (21) between Burlington, Vt., and port of entry on the international boundary line between the United States and Canada, located at Highgate Springs, Vt., from Burlington over U.S. Highway 7 to port of entry on the international boundary line between the United States and Canada, located at Highgate Springs, Vt., and return over the same route, serving all intermediate points, (22) between St. Albans, Vt., and port of entry on the international boundary line between the United States and Canada, located at Richford, Vt., from St. Albans over Vermont Highway 105 to Richford, thence over Vermont Highway 13 to the international boundary line between the United States and Canada, near Richford, and return over the same route, serving all intermediate points, (23) between Bennington and Rutland, Vt., from Bennington over U.S. Highway 7

to Rutland, and return over the same route, serving all intermediate points, (24) between Swanton, Vt., and Plattsburgh, N.Y., from Swanton over Vermont Highway 78 to its junction with U.S. Highway 2, thence over U.S. Highway 2 to Rouses Point, N.Y.

Thence over U.S. Highway 1 to Champlain, N.Y., thence over U.S. Highway 9 to Plattsburgh, and return over the same route, serving all intermediate points, (25) between Burlington, Vt., and ports of entry on the international boundary line between the United States and Canada, located at Rouses Point and Champlain, N.Y., (a) from Burlington over U.S. Highway 2 to Rouses Point, thence over Vermont Highway 9B to international boundary line between the United States and Canada (also from Rouses Point over U.S. Highway 11 to Champlain, N.Y., thence over U.S. Highway 9 to the international boundary line between the United States and Canada), and return over the same route, serving all intermediate points, (26) between Springfield, Mass., and Wells River, Vt., from Springfield over U.S. Highway 5 to Wells River, and return over the same route serving all intermediate points, (27) between Plattsburgh and Glens Falls, N.Y., from Plattsburgh over Interstate Highway 87 to Glens Falls, and return over the same route, serving all intermediate points, (28) between Fitchburg, Mass., and Keene, N.H., from Fitchburg, over Massachusetts Highway 12 to Massachusetts-New Hampshire State line, thence over New Hampshire Highway 12 to Keene, and return over the same route, serving all intermediate points, (29) between Clarksburg and Newell, W. Va., from Clarksburg over U.S. Highway 19 to its junction with West Virginia Highway 20, thence over West Virginia Highway 20 to its junction with West Virginia Highway 2, thence over West Virginia Highway 2 to Newell, and return over the same route, serving all intermediate points, (30) between Clarksburg and Moundsville, W. Va., from Clarksburg over U.S. Highway 19 to Fairmont.

Thence over U.S. Highway 250 to Moundsville, and return over the same route, serving all intermediate points, (31) between Clarksburg and Sistersville, W. Va., from Clarksburg, over U.S. Highway 50 to Salem, thence over West Virginia Highway 23 to its junction with West Virginia Highway 18, thence over West Virginia Highway 18 to Sistersville, and return over the same route, serving all intermediate points, (32) between Clarksburg and Parkersburg, W. Va., from Clarksburg over U.S. Highway 50 to Parkersburg, and return over the same route, serving all intermediate points, and the off-route point of Harrisville, (33) between Pike and Parkersburg, W. Va., from Pike over U.S. Alternate Highway 50 to its junction with West Virginia Highway 2, thence over West Virginia Highway 2 to Parkersburg, and return over the same route, serving all intermediate points, (34) between Clarksburg and Kingwood, W. Va., from Clarksburg over U.S. Highway 50 to its junction with West Virginia Highway 92, thence over West Vir-

ginia Highway 92 to its junction with West Virginia Highway 7, thence over West Virginia Highway 7 to Kingwood, and return over the same route, serving all intermediate points, (35) between Clarksburg and Morgantown, W. Va., (a) from Clarksburg over U.S. Highway 50 to its junction with U.S. Highway 149, thence over U.S. Highway 149 to Morgantown; and (b) from Clarksburg over U.S. Highway 50 to Bridgeport, thence over West Virginia Highway 73 to Morgantown, and return over the same routes, serving all intermediate points, (36) between Morgantown and Reedsville, W. Va., from Morgantown over West Virginia Highway 7 to Reedsville, and return over the same route, serving all intermediate points, (37) between Fairmont and Hoard, W. Va., from Fairmont over U.S. Highway 19 to Morgantown.

Thence over U.S. Highway 119 to Hoard, and return over the same route, serving all intermediate points, (38) between Clarksburg and Elkins, W. Va., from Clarksburg over West Virginia Highway 20 to its junction with U.S. Highway 119, thence over U.S. Highway 119 to Buckhannon, thence over U.S. Highway 33 to Elkins, and return over the same route, serving all intermediate points, (39) between Clarksburg and Harding, W. Va., from Clarksburg over West Virginia Highway 20 to its junction with West Virginia Highway 57, thence over West Virginia Highway 57 to its junction with U.S. Highway 250, thence over U.S. Highway 250 to Harding, and return over the same route, serving all intermediate points, (40) between Clarksburg and Huntington, W. Va., from Clarksburg over U.S. Highway 19 to its junction with West Virginia Highway 4, thence over West Virginia Highway 4 to Huntington, and return over the same route, serving all intermediate points, (41) between Weston and Clendenin, W. Va., from Weston over U.S. Highway 119 to Clendenin, and return over the same route, serving all intermediate points, (42) between Charleston and Parkersburg, W. Va., from Charleston over U.S. Highway 21 to Parkersburg, and return over the same route, serving all intermediate points, and the off-route point of Ravenswood, (43) between Charleston and Williamson, W. Va., from Charleston over U.S. Highway 119 to Williamson, and return over the same route, serving all intermediate points, (44) between Phillippi and Parsons, W. Va., from Phillippi over U.S. Highway 250 to its junction with West Virginia Highway 38, thence over West Virginia Highway 38 to its junction with West Virginia Highway 72, thence over West Virginia Highway 72 to Parsons, and return over the same route, serving all intermediate points, (45) between Charleston and Bluefield, W. Va., from Charleston over West Virginia Turnpike to Princeton.

Thence over U.S. Highway 19 to Bluefield, and return over the same route, serving all intermediate points, (46) between Baltimore, Md., and Charleston, W. Va., from Baltimore, Md., over U.S. Highway 40 to its junction with U.S. Highway 340, thence over U.S. Highway 340 to its junction with U.S. Highway 11,

thence over U.S. Highway 11 to junction with Virginia Highway 42, thence over Virginia Highway 42 to its junction with U.S. Highway 60, thence over U.S. Highway 60 to Charleston, and return over the same route, serving all intermediate points, (47) between Wheeling and Valley Grove, W. Va., from Wheeling over U.S. Highway 40 to Valley Grove, and return over the same route, serving all intermediate points, (48) between Baltimore, Md., and Clarksburg, W. Va., (a) from Baltimore over U.S. Highway 40 to its junction with U.S. Highway 340, thence over U.S. Highway 340 to Berryville, Va., thence over Virginia Highway 7 to Winchester, Va., thence over U.S. Highway 50 to Clarksburg, and return over the same route, serving all intermediate points, and (b) from Baltimore over U.S. Highway 40 to its junction with Interstate Highway 695, thence over Interstate Highway 695 to its junction with Maryland Highway 26, thence over Maryland Highway 26 to Frederick, Md., thence over U.S. Highway 340 to Berryville, Va., thence over Virginia Highway 7 to Winchester, Va., thence over U.S. Highway 50 to Clarksburg, W. Va., and return over the same route, serving all intermediate points in West Virginia and Garrett County, Md., (49) between Baltimore, Md., and Wheeling, W. Va., from Baltimore over U.S. Highway 40 to Wheeling, and return over the same route, serving all intermediate points in West Virginia, Hagerstown and Cumberland, Md., and those in Garrett County, Md., (50) between Pittsburgh, Pa., and Baltimore, Md., (a) from Pittsburgh over Pennsylvania Highway 51 to its junction with Interstate Highway 70S.

Thence over Interstate Highway 70S to its junction with Pennsylvania Turnpike located at New Stanton, thence over Pennsylvania Turnpike to Harrisburg, Pa., thence over Interstate Highway 83 to Baltimore, and return over the same route, serving all intermediate points and off-route points within forty-five (45) miles of Pittsburgh, Pa., (b) from Pittsburgh over Pennsylvania Highway 51 to its junction with Interstate Highway 70S, thence over Interstate Highway 70S to its junction with Pennsylvania Turnpike located at New Stanton, thence over Pennsylvania Turnpike to Breezewood, Pa., thence over Interstate Highway 70 to Hancock, Md., thence over U.S. Highway 40 to Baltimore, and return over the same route, serving all intermediate points and off-route points within forty-five (45) miles of Pittsburgh, Pa., and (c) from Pittsburgh over Pennsylvania Highway 51 to Uniontown, Pa., thence over U.S. Highway 40 to Baltimore, and return over the same route, serving all intermediate points and off-route points within forty-five (45) miles of Pittsburgh, Pa. NOTE: Common control may be involved. This application is filed pursuant to MC-C-4366, effective May 1, 1964, which provides the special rules for conversion of irregular route to regular-route motor carrier operations. SPECIAL NOTE: Protests to this application may be filed within 45 days instead of 30 days.

No. MC 22195 (Sub-No. 110), filed May 28, 1965. Applicant: DAN DUGAN TRANSPORT COMPANY, a corporation,

this republication is to include the service as proposed above in described route (14), which was inadvertently omitted from original application and not previously published. This application is filed pursuant to MC-C-4366, effective May 1, 1964, which provides the special rules for conversion of irregular route to regular route motor carrier operations. SPECIAL NOTE: Protests to this application may be filed within 45 days instead of 30 days.

No. MC 52793 and Sub-Nos. 1, 2, 3, and 7 (PETITION TO REOPEN GRANDFATHER PROCEEDINGS FOR PURPOSE OF CORRECTING CERTIFICATES), filed May 24, 1965. Petitioner: BEKINS VAN LINES CO., 333 South Center Street, Hillside, Ill. Petitioners attorneys: Russell S. Bernhard, 1625 K Street NW., Washington, D.C., 20006, and Eldon R. Clawson, 1335 South Figueroa Street, Los Angeles, Calif., 90015. Petitioner states that it is a household goods carrier operating in the 48 contiguous States of the United States and the District of Columbia. On March 16, 1943, in No. MC-52793 (Sub-No. 7), petitioner was granted authority to operate between points in Oregon, Washington, Idaho, Nevada, Montana, Wyoming, Utah, and Colorado. On September 6, 1946, in No. MC 52793 (also encompassing Subs 4, 5 and 6), it was granted authority to operate between points in the other 37 States and the District of Columbia. It holds authority in MC 52793 (Sub-No. 1), to operate between Seattle, Tacoma, and Spokane, Wash., on the one hand, and, on the other, points in California, and between points in Washington, on the one hand, and, on the other, points in Oregon and Idaho, other than those within 50 miles of Spokane. In MC 52793 Sub 2 it holds authority between points in Oregon and those in Cowlitz, Clark, Akamania, and Klickitat Counties, Wash., on the one hand, and, on the other, points in Idaho and California, and those in Washington, except points in Washington within 50 miles of Portland, Oreg., and between Portland, Oreg., on the one hand, and, on the other, points in Montana, Utah, and Colorado. In MC 52793 Sub-No. 3 it holds authority between points in Colorado, on the one hand, and, on the other, points in Kansas, Nebraska, Utah, and Wyoming.

Petitioner states that recently it was brought to its attention that it was performing direct operations between points in the eight western States and points in the other 37 (now 40) States, whereas the manner in which its authorities read would require all operations to and from the eight-State territory (Sub-No. 7) to be conducted through the "Oregon-California gateway" provided by the Sub 2 authority or through the "Colorado-Nebraska/Kansas gateway" provided by the Sub 3 authority. By the instant petition, petitioner requests that the Commission reopen its grandfather proceedings and reissue its a single certificate which will clearly authorize it to operate directly between all points covered by the eight-State authority, on the one hand, and, on the

other, all points in the 37-State and the District of Columbia authority issued in the lead docket. Petitioner has also filed an application to accomplish the same purpose in No. MC 52793 (Sub-No. 18), which is also published in this issue of the FEDERAL REGISTER. Any person or persons desiring to participate in this proceeding, may, within 30 days from the date of this publication in the FEDERAL REGISTER, file an appropriate pleading, consisting of an original and 6 copies each.

No. MC 52793 (Sub-No. 18) filed May 24, 1965. Applicant: BEKINS VAN LINES CO., a corporation, 333 South Center Street, Hillside, Ill. Applicant's attorney: Russell S. Bernhard, 1625 K Street NW., Washington 6, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming, on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa (except points within 50 miles of Omaha, Nebr.), Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska (except points within 50 miles of Sioux City, Iowa), New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia; (2) between points in Nebraska within 50 miles of Sioux City, Iowa, on the one hand, and, on the other points in the United States (except Sioux City, Iowa, and points in Alaska and Hawaii), and (3) between points in Iowa within 50 miles of Omaha, Nebr., on the one hand, and on the other, points in the United States (except Omaha, Nebr., and points in Alaska and Hawaii). Note: Common control may be involved.

Applicant states that this application does not involve any new or additional operations by applicant. The purpose of the application is to correct certain ambiguities existing in applicant's grandfather authority. This application was filed in conjunction with a simultaneous petition to reopen the grandfather proceeding for the same purpose, published this issue.

No. MC 75651 (Sub-No. 58), filed March 1, 1965. Applicant: R. C. MOTOR LINES, INC., 2500 Laura Street, Jacksonville, Fla., 32203. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: (A) General commodities (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Augusta, Ga., and Albany, Ga.; from Augusta over U.S. Highway 1 to junction U.S. Highway 221, thence over U.S. Highway 221 to junction U.S. Highway 319, thence over U.S. Highway 319 to Dublin, Ga., thence over Georgia Highway 257 to Albany and re-

turn over the same routes serving all intermediate points, (2) between Augusta, Ga., and Columbus, Ga.; from Augusta over U.S. Highway 278 to Warrenton, Ga., thence over Georgia Highway 16 to Sparta, Ga., thence over Georgia Highway 22 to Milledgeville, Ga., thence over Georgia Highway 49 to Macon, Ga., thence over U.S. Highway 80 to Columbus and return over the same routes serving all intermediate points, (3) between Augusta, Ga., and Atlanta, Ga.; (a) from Augusta over U.S. Highway 78 to Athens, Ga., thence over U.S. Highway 29 to Lawrenceville, Ga., thence over access roads to Interstate Highway 85, thence over Interstate Highway 85 to Atlanta, and return over the same route, serving all intermediate points and (b) from Augusta over Georgia Highway 28 to junction South Carolina Highway 28, thence over South Carolina Highway 28 to junction U.S. Highway 221.

Thence over U.S. Highway 221 to junction Georgia Highway 104, thence over Georgia Highway 104 to junction Georgia Highway 47, thence over Georgia Highway 47 to Lincoln, Ga., thence over U.S. Highway 378 to Washington, Ga., thence to Atlanta as specified above over U.S. Highways 78, 29, and Interstate Highway 85, and return over the same routes, serving all intermediate points; (4) between Savannah, Ga., and Albany, Ga.: (a) From Savannah over U.S. Highway 80 to junction U.S. Highway 280, thence over U.S. Highway 280 to junction Georgia Highway 257, and thence over Georgia Highway 257 to Albany, and return over the same routes, serving all intermediate points; and (b) from Savannah over U.S. Highway 17 to junction U.S. Highway 82, thence over U.S. Highway 82 to Albany, and return over the same routes, serving all intermediate points; (5) between Savannah, Ga., and Atlanta, Ga.: (a) From Savannah over U.S. Highway 80 to Macon, thence over Georgia Highway 87 to junction U.S. Highway 23 and thence over U.S. Highway 23 to Atlanta, and return over the same routes, serving all intermediate points; (b) from Savannah to Macon as specified above, thence over Interstate Highway 75 to Atlanta, and return over the same routes, serving all intermediate points, and (c) from Savannah over Interstate Highway 16 to Macon, thence over Interstate Highway 75 to Atlanta, and return over the same routes, serving all intermediate points; (6) (a) between Albany, Ga., and Macon, Ga.: From Albany over Georgia Highway 257 to junction Interstate Highway 75, thence over Interstate Highway 75 to Macon; (b) between Albany, Ga., and Columbus, Ga.: From Albany over U.S. Highway 82 to Dawson, Ga.

Thence over Georgia Highway 55 to junction U.S. Highway 280, thence over U.S. Highway 280 to Columbus; (c) between Albany, Ga., and Atlanta, Ga.: From Albany over U.S. Highway 19 to Atlanta, and (d) between Columbus, Ga., and Atlanta, Ga.: From Columbus over Georgia Highway 85 (and 85E or 85W) to Atlanta, and return over the same routes in 6 (a), (b), (c), and (d), above serving no intermediate points except for joinder purposes only, as alternate routes

for operating convenience only, in connection with applicant's regular route operations; (7) between Augusta, Ga., and Greer, S.C.: From Augusta over U.S. Highway 25 to Greenville, S.C., thence over U.S. Highway 29 to Greer and return over the same route serving all intermediate points; (8) between Camden, S.C., and Bishopville, S.C.: From Camden over South Carolina Highway 34 to Bishopville and return over the same route serving all intermediate points; (9) between Charleston, S.C., and Society Hill, S.C.: From Charleston over U.S. Highway 52 to Society Hill and return over the same route serving all intermediate points; (10) between Charleston, S.C., and Wilmington, N.C.: From Charleston over U.S. Highway 17 to Wilmington and return over the same route serving all intermediate points; (11) between Charlotte, N.C., and Atlanta, Ga.: (a) From Charlotte over U.S. Highway 29 to Atlanta, and return over the same route, serving all intermediate points; and (b) from Charlotte over Interstate Highway 85 to Atlanta, and return over the same route, serving all intermediate points; (12) between Charlotte, N.C., and Greensboro, N.C.: (a) From Charlotte over U.S. Highway 29 to Greensboro, and return over the same route serving all intermediate points; and (b) from Charlotte over Interstate Highway 85 to Greensboro and return over the same route, serving all intermediate points; (13) between Charlotte, N.C., and Raleigh, N.C.: From Charlotte over North Carolina Highway 49 to junction U.S. Highway 64.

Thence over U.S. Highway 64 to Raleigh and return over these routes serving all intermediate points; (14) between Charlotte, N.C., and Society Hill, S.C.: From Charlotte over U.S. Highway 74 to junction U.S. Highway 601, thence over U.S. Highway 601 to Pageland, S.C., thence over South Carolina Highway 9 to Cheraw, S.C., thence over U.S. Highway 52 to Society Hill and return over these routes serving all intermediate points; (15) between Columbia, S.C., and Winston-Salem, N.C.: (a) From Columbia over U.S. Highway 21 to Statesville, thence over U.S. Highway 64 to junction U.S. Highway 158, thence over U.S. Highway 158 to Winston-Salem, and return over the same routes, serving all intermediate points; (b) from Columbia to Statesville as specified above, thence over Interstate Highway 40 to Winston-Salem, and return over the same routes, serving all intermediate points; (16) between Columbia, S.C., and Aberdeen, N.C.: From Columbia over U.S. Highway 1 to junction South Carolina-North Carolina Highway 177, thence over South Carolina-North Carolina Highway 177 to junction U.S. Highway 1, thence over U.S. Highway 1 to Aberdeen and return over these routes serving all intermediate points; (17) between Columbia, S.C., and Greer, S.C.: (a) From Columbia over Interstate Highway 26 to junction South Carolina Highway 146, thence over South Carolina Highway 146 to junction U.S. Highway 221, thence over U.S. Highway 221 to junction South Carolina Highway 101, thence over South Carolina Highway 101 to Greer, and re-

turn over the same route, serving all intermediate points; (b) from Columbia, S.C., as specified above over Interstate Highway 26 to Spartanburg.

Thence over U.S. Highway 29 to Greer, and return over the same routes, serving all intermediate points; and (c) from Columbia, S.C., as specified above over Interstate Highway 26 to junction U.S. Highway 276, thence over U.S. Highway 276 to Greenville, thence over U.S. Highway 29 to Greer, and return over the same routes, serving all intermediate points; (18) between Columbia, S.C., and Sumter, S.C.: from Columbia over U.S. Highway 378 to Sumter and return over the same route serving all intermediate points; (19) between Darlington, S.C., and Hartsville, S.C.: from Darlington over South Carolina Highway 151 to Hartsville, and return over the same route serving all intermediate points; (20) between Greer, S.C., and Asheville, N.C.: from Greer over South Carolina Highway 14 to junction U.S. Highway 176, thence over U.S. Highway 176 to junction U.S. Highway 25, thence over U.S. Highway 25 to Asheville, and return over these routes serving all intermediate points; (21) between Raleigh, N.C., and Durham, N.C.: from Raleigh over U.S. Highway 70 to Durham, and return over the same route serving all intermediate points; (22) between Raleigh, N.C., and junction U.S. Highway 301: from Raleigh over U.S. Highway 561, thence over North Carolina Highway 561 to junction North Carolina Highway 48, thence over North Carolina Highway 48 to junction U.S. Highway 158, thence over U.S. Highway 158 to junction U.S. Highway 301, and return over the same route serving all intermediate points; (23) between Raleigh, N.C., and Wilson, N.C.: from Raleigh over U.S. Highway 64 to junction U.S. Highway 264, thence over U.S. Highway 264 to Wilson and return over the same route serving all intermediate points; (24) between Rocky Mount, N.C., and Zebulon, N.C.: from Rocky Mount over U.S. Highway 64 to Zebulon and return over the same route serving all intermediate points; (25) between Sumter, S.C., and Wilmington, N.C.: (a) from Sumter over U.S. Highway 76 to Wilmington, and return over the same route, serving all intermediate points; and (b) from Sumter over U.S. Highway 378 to Conway, S.C., thence over South Carolina Highway 90 to junction U.S. Highway 17.

Thence over U.S. Highway 17 to Wilmington, and return over the same routes, serving all intermediate points; (26) between Wilmington, N.C., and Cherry Point, N.C.: from Wilmington over U.S. Highway 17 to junction North Carolina Highway 172, thence over North Carolina Highway 172 via Camp Lejeune Marine Base to junction North Carolina Highway 24, thence over North Carolina Highway 24 to junction unnumbered highway connecting North Carolina Highway 24 and U.S. Highway 70, thence over this unnumbered highway to junction U.S. Highway 70, thence over U.S. Highway 70 to Havelock, thence over North Carolina Highway 101 to Cherry Point Marine Air Station, and return

over the same route serving all intermediate points; (27) between Wilmington, N.C., and Wilson, N.C.: from Wilmington over U.S. Highway 117 to junction U.S. Highway 301, thence over U.S. Highway 301 to Wilson, and return over the same route serving all intermediate points; (28) between Wilson, N.C., and junction U.S. Highways 401 and 1: from Wilson over North Carolina Highway 58 to junction U.S. Highway 401, thence over U.S. Highway 401 to junction U.S. Highway 1, and return over the same route serving all intermediate points; (29) between Columbia, S.C., and Atlanta, Ga.: (a) from Columbia over U.S. Highway 378 to junction U.S. Highway 78, then over U.S. Highway 78 to junction Georgia Highway 44, thence over Georgia Highway 44 to Union Point, Ga., thence over U.S. Highway 278 to Atlanta, and return over the same routes, serving all intermediate points; (b) from Columbia to Union Point, Ga., as described above.

Thence over U.S. Highway 278 to junction Interstate Highway 20, thence over Interstate Highway 20 to Atlanta, and return over the same route, serving all intermediate points; (30) between Fayetteville, N.C., and Pee Dee, S.C.: from Fayetteville over Interstate Highway 95 to junction U.S. Highway 301, thence over U.S. Highway 301 to Pee Dee and return over the same routes serving all intermediate points. (31) Applicant states: Service proposed to and from all points and places in Georgia, North Carolina, and South Carolina as off-route points in connection with carrier's present and proposed regular routes. (32) Service proposed to and from all points and places within 25 miles of Newark, N.J., as off-route points in connection with carrier's present and proposed regular routes. (B) *Commodities* classified as Class A, Class B, or Class C explosives in the Commission's rules and regulations governing the transportation of explosives and other dangerous articles; *ammunition* not included within the commodities classified by the Commission as Class A, Class B, or Class C explosives; *component parts of ammunition*, and *empty containers thereof*, over regular routes, serving St. Juliens Creek, Va., and points and places within 35 miles thereof, and Jacksonville, Fla., and points and places with 35 miles thereof, as off-route points in connection with carrier's present regular routes between Baltimore, Md. and Jacksonville, Fla. **NOTE:** This application is filed pursuant to MC-C 4366, effective May 1, 1964, which provides the special rules for conversion of irregular to regular motor carrier operations. **SPECIAL NOTE:** Protests to this application may be filed within 45 days instead of 30 days.

No. MC 106373 (Sub-No. 29), filed February 26, 1965. Applicant: THE SERVICE TRANSPORT CO., a corporation, 11910 Harvard Avenue, Cleveland, Ohio. Applicant's attorney: James R. Stivers, 50 West Broad Street, Columbus, 15, Ohio. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: (A) *Plaster, plasterboard, wall-board, lime products, and gypsum prod-*

ucts, (1) from Akron, N.Y., over New York Highway 93 to junction New York Highway 5, thence over New York Highway 5 to New York-Pennsylvania State line, thence over Pennsylvania Highway 5 to Erie, Pa., thence over U.S. Highway 19 to Pittsburgh, serving all intermediate points, and off-route points within 30 miles of Pittsburgh and Washington, Pa., (2) from Akron, N.Y., over New York Highway 93 to junction New York Highway 5, thence over New York Highway 5 to Buffalo, thence over U.S. Highway 20 to Toledo, Ohio, serving the intermediate and off-route points of Akron, Ashtabula, Cleveland, Conneaut, Columbia Station, Grafton, and Jefferson, Ohio, (3) from Akron, N.Y., over New York Highway 93 to junction New York Highway 5, thence over New York Highway 5 to Buffalo, thence over U.S. Highway 20 to junction Ohio Highway 7, thence over Ohio Highway 7 to junction Ohio Highway 62, thence over Ohio Highway 62 to Canton, serving the intermediate and off-route points of Hubbard, New Milford, Warren, and Youngstown, Ohio, (4) Oakfield, N.Y., over New York Highway 63 to junction New York Highway 5.

Thence over New York Highway 5 to New York-Pennsylvania State line, thence over Pennsylvania Highway 5 to Erie, thence over U.S. Highway 19 to Pittsburgh, serving all intermediate points, and the off-route points within 30 miles of Pittsburgh and Washington, Pa., (5) from Oakfield, N.Y., over New York Highway 63 to junction New York Highway 5, thence over New York Highway 5 to Buffalo, thence over U.S. Highway 20 to Toledo, Ohio, serving the intermediate and off-route points of Akron, Ashtabula, Cleveland, Conneaut, Columbia Station, Grafton, and Jefferson, Ohio, (6) from Oakfield, N.Y., over New York Highway 63 to junction New York Highway 5, thence over New York Highway 5 to Buffalo, thence over U.S. Highway 20 to junction Ohio Highway 7, thence over Ohio Highway 7 to junction Ohio Highway 62, thence over Ohio Highway 62 to Canton, serving the intermediate and off-route points of Hubbard, New Milford, Warren, and Youngstown, Ohio, (B) *Iron and steel articles and iron and steel products*: (7) From Cleveland, Ohio, over presently authorized routes to Pittsburgh, Pa., thence over U.S. Highway 22 to Newark, N.J., thence over U.S. Highways 1 and 9 to New York City, N.Y., serving the intermediate and off-route points of Carlstadt, Fairfield, Elizabeth, Jersey City, Randolph, Paterson, Port Newark, and Garwood, N.J., Brooklyn, Bronx, Long Island City, Farmingdale, Plainview, and Maspeth, N.Y., (8) from Cleveland, Ohio, over presently authorized routes to Pittsburgh, Pa., thence over U.S. Highway 30 to Philadelphia, Pa., serving the intermediate and off-route points of York, West Point, Bristol, Bustleton, Primos, Greenville, Scranton, and Lancaster, Pa., (9) from Cleveland, Ohio, over presently authorized routes to Pittsburgh, Pa., thence over U.S. Highway 30 to McConnellsburg.

Thence over Pennsylvania Highway 16 to Pennsylvania-Maryland State line,

thence over Maryland Highway 97 to junction U.S. Highway 140, thence over U.S. Highway 140 to Baltimore, Md., serving the intermediate point of Westminster, Md., (10) from Cleveland, Ohio, over presently authorized routes to Rochester, N.Y., thence over Interstate Highway 90 to junction U.S. Highway 9, thence over U.S. Highway 9 to Poughkeepsie, N.Y., serving the intermediate and off-route points of Auburn, Endicott, Rome, Syracuse, Utica, Wellsville, Ogdensburg, Cortland, Gloversville, Kingston, Mineville, Schenectady, LeRoy, and Albany, N.Y., (11) from Cleveland, Ohio, over presently authorized routes to Buffalo, N.Y., thence over U.S. Highway 20 to junction U.S. Highway 9, thence over U.S. Highway 9 to Poughkeepsie, N.Y., serving the intermediate and off-route points of Auburn, Endicott, Rome, Syracuse, Utica, Wellsville, Ogdensburg, Cortland, Gloversville, Kingston, Mineville, Schenectady, LeRoy, and Albany, N.Y., (12a) from Buffalo, N.Y., over presently authorized routes to Ohio Highway 7, thence over Ohio Highway 7 to junction U.S. Highway 22, thence over U.S. Highway 22 to Cincinnati, Ohio; (b) from Buffalo, N.Y., over presently authorized routes to Cleveland, Ohio, thence over Interstate Highway 71 to Cincinnati, serving the intermediate and off-route points of Columbus, Lebanon, and Dayton, Ohio, (13) from Buffalo, N.Y., over U.S. Highway 219 to Johnstown, Pa., serving no intermediate points, (14) from Buffalo, N.Y., over presently authorized routes to Fostoria, Ohio, thence over Ohio Highway 12 to Findlay, thence over U.S. Highway 25 to junction U.S. Highway 33, thence over U.S. Highway 33 to junction U.S. Highway 127, thence over U.S. Highway 127 to junction Ohio Highway 219.

Thence over Ohio Highway 219 to Coldwater, Ohio, serving no intermediate points, (15) from Detroit, Mich., over presently authorized routes to Pittsburgh, Pa., thence over U.S. Highway 30 to McConnellsburg, thence over Pennsylvania Highway 16 to Pennsylvania-Maryland State line, thence over Maryland Highway 97 to junction U.S. Highway 140, thence over U.S. Highway 140 to Baltimore, Md., serving no intermediate points, (16) from Detroit, Mich., over presently authorized routes to Pittsburgh, Pa., thence over U.S. Highway 30 to Philadelphia, Pa., serving no intermediate points, (17) from Detroit, Mich., over presently authorized routes to Pittsburgh, Pa., thence over U.S. Highway 22 to Newark, N.J., thence over U.S. Highways 1 and 9 to New York City, N.Y., serving the off-route point of Harrison, N.J., (18) from Pittsburgh, Pa., over presently authorized routes to Buffalo, N.Y., thence over New York Highway 5 to Syracuse, serving all intermediate and off-route points within 30 miles of Pittsburgh, Pa., and serving the intermediate and off-route points of Ellicottville, Groton, Painted Post, and Webster, N.Y.; (19) (a) from Pittsburgh, Pa., over U.S. Highway 22 to Cincinnati, Ohio, serving all intermediate and off-route points within 30 miles of Pittsburgh, (b) from Pittsburgh, Pa., over U.S. Highway 19 to

junction U.S. Highway 40, thence over U.S. Highway 40 to junction U.S. Highway 25 and Interstate Highway 75, thence over U.S. Highway 25 and Interstate Highway 75 to Cincinnati, Ohio, serving all intermediate and off-route points within 30 miles of Pittsburgh, Pa., and serving the intermediate and off-route points of Troy, Springfield, Dayton, Lancaster, Vandalla, and Greenville, Ohio; (20) from Pittsburgh, Pa., over presently authorized routes to Mansfield, Ohio.

Thence over U.S. Highway 30S to Marion, serving all intermediate and off-route points within 30 miles of Pittsburgh, Pa.; (21) from Johnstown, Pa., over U.S. Highway 219 to junction U.S. Highway 422, thence over U.S. Highway 422 to Butler, thence over presently authorized routes to Cleveland, Ohio, serving no intermediate points, (22) from Canton and Massillon, Ohio, over presently authorized routes to Buffalo, N.Y., thence over U.S. Highway 20 to junction U.S. Highway 11, thence over U.S. Highway 11 to Syracuse, N.Y., serving the intermediate and off-route points of Rome, Auburn, and Groton, N.Y.; (23) from junction U.S. Highways 20 and 11 over U.S. Highway 11 to Binghamton, N.Y., serving the intermediate and off-route points of Endicott and Ithaca, N.Y.; (24) from Canton and Massillon, Ohio, over presently authorized routes to Pittsburgh, Pa., thence over U.S. Highway 30 to McConnellsburg, Pa., thence over Pennsylvania Highway 16 to the Pennsylvania-Maryland State line, thence over Maryland Highway 97 to junction U.S. Highway 140, thence over U.S. Highway 140 to Baltimore, Md., serving no intermediate points, (25) from Canton and Massillon, Ohio, over presently authorized routes to Pittsburgh, Pa., thence over U.S. Highway 30 to Philadelphia, serving the off-route point of Phoenixville, Pa.; (26) from Canton and Massillon, Ohio, over presently authorized routes to Butler, Pa., thence over Pennsylvania Highway 68 to junction U.S. Highway 219, thence over U.S. Highway 219 to Bradford, Pa., serving no intermediate points, (27) from McDonald, Youngstown, and Warren, Ohio, over presently authorized routes to Buffalo, N.Y., thence over U.S. Highway 20 to junction U.S. Highway 11, thence over U.S. Highway 11 to Syracuse, N.Y., serving the intermediate and off-route points of East Liverpool, Ohio, and Syracuse, N.Y., (28) from McDonald, Youngstown, and Warren, Ohio, over presently authorized routes to Rochester, N.Y., serving the intermediate point of LeRoy, N.Y.; (29) from McDonald, Youngstown, and Warren, Ohio, over presently authorized routes to Jamestown, N.Y.

Thence over New York Highway 17 to junction New York Highway 305, thence over New York Highway 305 to Cuba, N.Y., serving no intermediate points, (30) from Fairless Hills, Pa., over U.S. Highway 1 to junction Pennsylvania Highway 413, thence over Pennsylvania Highway 413 to junction U.S. Highway 202, thence over U.S. Highway 202 to junction Pennsylvania Highway 313, thence over Pennsylvania Highway 313 to junction U.S. Highway 309, thence

over U.S. Highway 309 to junction U.S. Highway 22, thence over U.S. Highway 22 to Pittsburgh, Pa., thence over presently authorized routes to Cleveland, Ohio, serving the intermediate and off-route points of Canton, Warren, and Youngstown, Ohio; (31) from Coatesville, Pa., over U.S. Highway 30 to junction U.S. Highway 230, thence over U.S. Highway 230 to junction U.S. Highway 22, thence over U.S. Highway 22 to Pittsburgh, Pa., thence over presently authorized routes to Cleveland, Ohio, serving the intermediate and off-route points of Canton, Warren, and Youngstown, Ohio; (32) from Bethlehem, Pa., over U.S. Highway 22 to Pittsburgh, thence over presently authorized routes to Cleveland, Ohio, serving the intermediate and off-route points of Canton, Warren, and Youngstown, Ohio; (33) from Martins Ferry, Yorkville, and Steubenville, Ohio, over Ohio Highway 7 to junction Ohio Highway 170, thence over Ohio Highway 170 (portion formerly Ohio Highway 90) to Youngstown, thence over presently authorized routes to Buffalo, N.Y., thence over U.S. Highway 20 to Albany, N.Y., serving the intermediate and off-route points of Schenectady, Seneca Falls, Syracuse, New York Mills, Batavia, Fairport, and Utica, N.Y.; (34) from Martins Ferry, Yorkville, and Steubenville, Ohio, over Ohio Highway 7 to junction U.S. Highway 6, thence over U.S. Highway 6 to junction U.S. Highway 220.

Thence over U.S. Highway 220 to junction New York Highway 17, thence over New York Highway 17 to Binghamton, serving no intermediate points, (35) from Beechbottom, Follansbee, and Weirton, W. Va., over U.S. Highway 22 to junction Pennsylvania Highway 18, thence over Pennsylvania Highway 18 to junction U.S. Highway 20, thence over U.S. Highway 20 to Albany, N.Y., serving the intermediate and off-route points of Schenectady, Seneca Falls, Syracuse, New York Mills, Batavia, Fairport, and Utica, N.Y.; (36) from Beechbottom, Follansbee, and Weirton, W. Va., over U.S. Highway 22 to junction Pennsylvania Highway 18, thence over Pennsylvania Highway 18 to junction U.S. Highway 6, thence over U.S. Highway 6 to junction U.S. Highway 220, thence over U.S. Highway 220 to junction New York Highway 17, thence over New York Highway 17 to Binghamton, N.Y., serving no intermediate points. Alternate routes for operating convenience only in connection with applicant's above proposed regular-route operations: (1) From Cleveland, Ohio, over the Ohio Turnpike to junction Pennsylvania Turnpike, thence over Pennsylvania Turnpike to New Jersey Turnpike, thence over New Jersey Turnpike to Holland Tunnel, thence by Holland Tunnel to New York, N.Y.; (2) from Cleveland, Ohio, over Interstate Highway 90 to junction New York State Thruway, thence over New York State Thruway to junction U.S. Highway 9, thence over U.S. Highway 9 to New York City, N.Y. **NOTE:** Duplication of authority will be eliminated. This application is filed pursuant to MC-C-4366, effective May 1, 1964, which provides the special rules

for conversion of irregular route to regular motor carrier operations. **SPECIAL NOTE:** Protests to this application may be filed within 45 days instead of 30 days.

No. MC 114194 (Sub-No. 107), filed June 4, 1965. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Brake fluid*, in bulk, from St. Louis, Mo., to points in California and Michigan, and *rejected shipments* of the commodity specified above, on return.

No. MC 116063 (Sub-No. 70), filed June 1, 1965. Applicant: WESTERN-COMMERCIAL TRANSPORT, INC., 2400 Cold Springs Road, Box 270, Fort Worth, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sugars and syrups and blends thereof*, from the plant site of Holly Sugar Corp., located near Hereford, Tex., to points in Colorado and Texas.

No. MC 116886 (Sub-No. 24), filed February 26, 1965. Applicant: HOWELL'S MOTOR FREIGHT, INCORPORATED, 2210 Winston Avenue SW., Roanoke, Va. Applicant's attorney: R. Roy Rush, 300 Shenandoah Building, Roanoke, Va., 24004. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Such merchandise as is dealt in by wholesale, retail and chain grocery and food business houses*, (1) between Roanoke and Lynchburg, Va., over U.S. Highway 460, serving all intermediate points, (2) between Roanoke and Harrisonburg, Va., over Interstate Highway 81-U.S. Highway 11, serving all intermediate points, (3) between Roanoke and Danville, Va., from Roanoke over U.S. Highway 220 to Martinsville, thence over U.S. Highway 58 to Danville, and return over the same route, serving all intermediate points, and (4) between Roanoke and Wytheville, Va., over Interstate Highway 81-U.S. Highway 11, serving all intermediate points. **NOTE:** This application is filed pursuant to MC-C-4366, effective May 1, 1964, which provides the special rules for conversion of irregular route to regular motor carrier operations. **SPECIAL NOTE:** Protests to this application may be filed within 45 days instead of 30 days.

No. MC 116886 (Sub-No. 26), filed June 1, 1965. Applicant: HOWELL'S MOTOR FREIGHT, INCORPORATED, 2210 Winston Avenue SW., Roanoke, Va. Applicant's attorney: R. Roy Rush, 300 Shenandoah Building, Post Office Box 614, Roanoke, Va., 24004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, dairy products and articles distributed by meat packinghouses*, as defined in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Norfolk, Va., to points in that part of Virginia on and east of U.S. Highway 15 and points in that part of North Carolina on and east of U.S. Highway 15 and north of U.S. Highway 64.

MOTOR CARRIERS OF PASSENGERS

No. MC 36524 (Sub-No. 10), filed May 27, 1965. Applicant: MISSOURI TRANSIT LINES, INC., Rollins Street, Macon, Mo. Applicant's attorney: Joseph R. Nacy, 117 West High Street, Post Office Box 352, Jefferson City, Mo., 65102. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and express and newspapers*, in the same vehicle with passengers, serving the junction U.S. Highway 66 and Missouri Highway 125 and the junction U.S. Highway 66 and Laclede County Route "Y", as intermediate points in connection with applicant's authorized regular-route operations between junction U.S. Highway 54 and Missouri Highway 17 and Springfield, Mo. **NOTE:** Applicant states that the purpose of this application is to abandon that portion of its presently authorized regular-route operation set out in Certificate No. 36524, as follows: " * * * (also from junction U.S. Highway 66 and unnumbered highway near Conway, Mo., over unnumbered highway to junction U.S. Highway 66 near Strafford, Mo.; also from junction U.S. Highway 66 and unnumbered highway over unnumbered highway to Conway, Mo.; * * * also from junction U.S. Highway 66 and Missouri Highway 125 over Missouri Highway 125 to Strafford, Mo.); * * *" and substitute in lieu thereof, the intermediate points proposed above.

No. MC 45626 (Sub-No. 56), filed May 24, 1965. Applicant: VERMONT TRANSIT CO., INC., 135 St. Paul Street, Burlington, Vt. Applicant's attorney: L. C. Major, Jr., 2001 Massachusetts Avenue NW., Washington, D.C., 20036. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers* in the same vehicle with passengers, (1) between Boston, Mass. and White River Junction, Vt., from Boston over access roads to Interstate Highway 93, thence over Interstate Highway 93 to junction Interstate Highway 193, thence over Interstate Highway 193 to junction Everett Turnpike, thence over Everett Turnpike to junction Interstate Highway 89, thence over Interstate Highway 89 to White River Junction, and return over the same route, serving the intermediate points of Manchester, Concord, Warner, New London and Lebanon, N.H.; (2) between junction Interstate Highways 93 and 193 and junction Interstate Highway 93 and Everett Turnpike, over Interstate Highway 93, serving via access roads from and to Interstate Highway 93, the intermediate point of Manchester, N.H.; and (3) serving the junction of New Hampshire Highways 4A and 11 near Potter Place as an intermediate point in connection with applicant's existing regular-route authority in Certificate No. MC 45626 between Concord, N.H. and White River Junction, Vt.

By the Commission.

[SEAL] BERTHA F. ARMES,
Acting Secretary.

[F.R. Doc. 65-6588; Filed, June 23, 1965; 8:45 a.m.]

[Second Rev. S.O. 562; Amended Pfahler's ICC Order 187]

ATCHISON, TOPEKA AND SANTA FE RAILWAY CO. ET AL.

Diversion or Rerouting of Traffic

In the opinion of R. D. Pfahler, agent, The Atchison, Topeka & Santa Fe Railway Co., The Denver & Rio Grande Western Railroad Co., and The Colorado and Southern Railway Co. are unable to transport traffic routed over their lines because of flooding at Palmer Lake, Colo.

It is ordered, That:

(a) Rerouting traffic: The Atchison, Topeka & Santa Fe Railway Co., The Denver & Rio Grande Western Railroad Co. and The Colorado & Southern Railway Co., and their connections, being unable to transport traffic in accordance with shippers' routing because of floods at Palmer Lake, Colo., are hereby authorized to divert or reroute such traffic over any available route to expedite the movement, regardless of the routing shown on the waybill. The billings covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained: The railroad desiring to divert or reroute traffic under this order shall receive the concurrence of other railroads to which such traffic is to be diverted or rerouted before the rerouting or diversion is ordered.

(c) Notification to shippers: Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 1 p.m., June 18, 1965.

(g) Expiration date: This order shall expire at 11:59 p.m., June 30, 1965, unless otherwise modified, changed, suspended, or annulled.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., June 18, 1965.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL]

[F.R. Doc. 65-6632; Filed, June 23, 1965; 8:47 a.m.]

[Second Rev. S.O. 562; Pfahler's ICC Order 188]

CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD CO.

Diversion or Rerouting of Traffic

In the opinion of R. D. Pfahler, agent, the Chicago, Rock Island & Pacific Railroad Co. is unable to transport traffic routed over its line because of flooding at Limon and Colorado Springs, Colo.

It is ordered, That:

(a) Rerouting traffic: The Chicago, Rock Island & Pacific Railroad Co. and its connections, being unable to transport traffic in accordance with shippers' routing because of flooding at Limon and Colorado Springs, Colo., is hereby authorized to divert or reroute such traffic over any available route to expedite the movement, regardless of the routing shown on the waybill. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained: The railroad desiring to divert or reroute traffic under this order shall receive the concurrence of other railroads to which such traffic is to be diverted or rerouted before the rerouting or diversion is ordered.

(c) Notification to shippers: Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates, of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 10 a.m., June 18, 1965.

(g) Expiration date: This order shall expire at 11:59 p.m., June 30, 1965, unless otherwise modified, changed, suspended, or annulled.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., June 18, 1965.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL]

[F.R. Doc. 65-6634; Filed, June 23, 1965; 8:47 a.m.]

[Second Rev. S.O. 562; Pfahler's ICC Order 187]

ATCHISON, TOPEKA & SANTA FE RAILWAY CO. AND DENVER & RIO GRANDE WESTERN RAILROAD CO.

Diversion or Rerouting of Traffic

In the opinion of R. D. Pfahler, agent, The Atchison, Topeka & Santa Fe Railway Co. and The Denver & Rio Grande Western Railroad Co. are unable to transport traffic routed over their lines because of flooding at Palmer Lake, Colo.

It is ordered, That:

(a) Rerouting traffic: The Atchison, Topeka & Santa Fe Railway Co. and The Denver & Rio Grande Western Railroad Co. and their connections, being unable to transport traffic in accordance with shippers' routing because of floods at Palmer Lake, Colo., are hereby authorized to divert or reroute such traffic over any available route to expedite the movement, regardless of the routing shown on the waybill. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained: The railroad desiring to divert or reroute traffic under this order shall receive the concurrence of other railroads to which such traffic is to be diverted or rerouted before the rerouting or diversion is ordered.

(c) Notification to shippers: Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter

fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 4 p.m., June 17, 1965.

(g) Expiration date: This order shall expire at 11:59 p.m., June 30, 1965, unless otherwise modified, changed, suspended, or annulled.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., June 17, 1965.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL]

[F.R. Doc. 65-6633; Filed, June 23, 1965;
8:47 a.m.]

[Section 5a, Application 65; Amdt. 2]

NATIONAL MOTOR EQUIPMENT INTERCHANGE; AGREEMENT

JUNE 21, 1965.

The Commission is in receipt of an application in the above-entitled and numbered proceeding for approval of amendments to the agreement therein approved under the provisions of section 5a of the Interstate Commerce Act.

Filed June 10, 1965 by:

Roland Rice, Rice, Carpenter and Caraway,
Suite 618, Perpetual Building, 1111 E
Street NW., Washington, D.C., 20004.

Amendments involved: Change the agreement so as to (1) permit common carriers by rail and water to become parties thereto, without right to serve on the board of directors, as officer of the association, or on certain committees, and (2) create office of second vice president.

The application may be inspected at the office of the Commission in Washington, D.C.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 20 days from the date of this notice. As provided by the general rules of practice of the Commission, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL]

BERTHA F. ARMES,
Acting Secretary.

[F.R. Doc. 65-6635; Filed, June 23, 1965;
8:47 a.m.]

No. 121—8

[Notice 33]

FINANCE APPLICATIONS

JUNE 21, 1965.

The following publications are governed by the Interstate Commerce Commission's General Requirements governing notice of filing of applications under sections 20a except (12) and 214 of the Interstate Commerce Act. The Commission's order of May 20, 1964, providing for such publication of notice, was published in the FEDERAL REGISTER issue of July 31, 1964 (29 F.R. 11126), and became effective October 1, 1964.

All hearings and prehearing conferences, if any, will be called at 9:30 a.m., U.S. standard time unless otherwise specified.

F.D. No. 23699—By application filed June 17, 1965, Quinn Freight Lines, Inc., 1093 North Montello Street, Brockton, Mass., seeks authority under section 214 of the Interstate Commerce Act to issue (1) an installment note in the principal amount of \$200,000 bearing interest at the rate of 5% percent per annum and (2) an installment note in the principal amount of \$220,000 bearing interest at the rate of 5% percent per annum. Applicant's attorney: Mary E. Kelley, 10 Tremont Street, Boston, Mass., 02108. Protests must be filed no later than 15 days from date of publication in the FEDERAL REGISTER.

F.D. No. 23700—By application filed June 17, 1965, United Van Lines, Inc., 1 United Drive, Fenton, Mo., seeks authority under section 214 of the Interstate Commerce Act to issue promissory notes in principal amounts not exceeding, in the aggregate, the sum of \$1,750,000 in accordance with a Revolving Credit Agreement. Applicant's attorney: G. M. Rebman, Rebman, La Tourette & Gunn, Suite 1230, Boatmen's Bank Building, St. Louis, Mo., 63102. Protests must be filed no later than 15 days from date of publication in the FEDERAL REGISTER.

By the Commission.

[SEAL]

BERTHA F. ARMES,
Acting Secretary.

[F.R. Doc. 65-6636; Filed, June 23, 1965;
8:47 a.m.]

KEITH H. LYRLA

Statement of Changes in Financial Interests

Pursuant to subsection 302(c), Part III, Executive Order 10647 (20 F.R. 8769) "Providing for the Appointment of Certain Persons under the Defense Production Act of 1950, as amended," I hereby furnish for filing with the Office of the Federal Register for publication in the FEDERAL REGISTER the following information showing any changes in my financial interests and business connections as heretofore reported and published (20 F.R. 10086, 21 F.R. 3475, 21 F.R. 9198, 22 F.R. 3777, 22 F.R. 9450, 23 F.R. 3798, 23 F.R. 9501, 24 F.R. 4187, 24 F.R. 9502, 25 F.R. 102, 26 F.R. 1692, 26 F.R. 6284, 27 F.R. 634, 27 F.R. 6409, 28 F.R. 197, 28 F.R.

7059, 29 F.R. 585, 29 F.R. 8388 and 30 F.R. 769) during the period from January 1, 1965, through June 30, 1965.

Financial interests—No changes.

Business connections:

Illinois Central Industries, Inc.—Comptroller.
Illinois Central Railroad Co.—Comptroller.
Waterloo Railroad—Director, Vice President and Auditor.
Blue Island Railroad—Comptroller.
Madison Coal Corp.—Comptroller.
Mississippi Valley Corp.—Comptroller.
Kensington & Eastern Railroad Co.—Director, Comptroller.
Kensington & Eastern Railroad Co. of Indiana—Director, Comptroller.
The South Chicago Railroad Co.—Director, Comptroller.

Dated: June 14, 1965.

KEITH H. LYRLA

[F.R. Doc. 65-6637; Filed, June 23, 1965;
8:47 a.m.]

[Notice 1193]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 21, 1965.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-67544. By order of June 17, 1965, the Transfer Board approved the transfer to Little Dixie Xpress, Ltd., Ft. Smith, Ark., of the operating rights in the Certificate of Registration in No. MC-121385 (Sub-No. 1), issued March 16, 1964, to J. R. McConnell, Jr., Ft. Smith, Ark., evidencing the right of the holder thereof to engage in interstate or foreign commerce, corresponding in scope to the service authorized by the Class "B" Permit No. 14620, dated March 28, 1962, issued by the Corporation Commission of Oklahoma. Bruce Shaw, 212 Merchants National Bank Building, Ft. Smith, Ark., attorney for applicants.

No. MC-FC-67761. By order of June 17, 1965, the Transfer Board approved the transfer to Barrick Transfer Co., Inc., 301 North Chicago Street, Lincoln, Ill., of the Certificate of Registration in No. MC-56925 (Sub-No. 2), issued January 7, 1964, to Lewis A. Barrick, doing business as Barrick Transfer Co., 301 North Chicago Street, Lincoln, Ill., authorizing transportation in interstate or foreign commerce corresponding in scope to the grant of authority in State Certificate No. 5652MC, issued May 22, 1956, by the Illinois Commerce Commission.

No. MC-FC-67818. By order of June 17, 1965, the Transfer Board approved the transfer to N. H. Bryan and C. W. Eads, a partnership, doing business as Riverton-Big Horn Freight Lines, Casper, Wyo., of the operating rights issued by the Commission July 31, 1944, to Eldon R. Lynn, doing business as Lovell Freight Line, Lovell, Wyo., under Certificate No. MC-52539, authorizing the transportation, over regular route, of general commodities, except household goods, commodities in bulk, and other specified commodities, between Lovell, Wyo., and Billings, Mont. Robert S. Stauffer, 1510 East 20th Street, Cheyenne, Wyo., attorney for transferee. R. B. Bowman, Post Office Box 517, Lovell, Wyo., attorney for transferor.

No. MC-FC-67853. By order of June 17, 1965, the Transfer Board approved the transfer to Raymond E. Weiss, Parkston, S. Dak., 57366, of Certificate No. MC-106951 issued August 6, 1952, to Dewey Benson, Parkston, S. Dak., 57366, authorizing the transportation, over irregular routes, of livestock, between Parkston, S. Dak., and points within 15 miles thereof, on the one hand, and, on the other, Sioux City, Iowa; grain and emigrant movables, between Parkston, S. Dak., and points within 15 miles thereof, on the one hand, and, on the other, points in Iowa and Minnesota; oil and grease in containers, plaster, commercial feed, seeds, lumber, shingles, cement blocks, brick, farm machinery, and tile, from Sioux City to Parkston; and lumber, shingles, cement blocks, brick, farm machinery, and tile, from Sioux City to points within 15 miles of Parkston except Ethan, Dimock, Rockport, Milltown, Hillside, Bearsley, Tripp, and Delmont, S. Dak.

No. MC-FC-67861. By order of June 17, 1965, the Transfer Board approved the transfer to Charles William Katich, doing business as Hayes Transfer, Centerville, Iowa, of the Certificate in No. MC-96534, issued September 14, 1945, to Carl D. Hayes, doing business as Hayes Transfer, Centerville, Iowa, authorizing

the transportation of: Household goods and emigrant movables, between points in Appanoose County, Iowa, on the one hand, and, on the other, points in Illinois, Minnesota, Missouri, and Nebraska. Marvin V. Colton, 300½ North 12th Street, Centerville, Iowa, attorney for applicants.

No. MC-FC-67868. By order of June 17, 1965, the Transfer Board approved the transfer to Raymond H. Wilson, doing business as Wilson Transfer Co., Quinton, Okla., of the operating rights in Certificates Nos. MC-60117 and MC-60117 (Sub-No. 1) issued June 28, 1949, and October 15, 1948, respectively, to George Wilson, doing business as Wilson Transfer, Quinton, Okla., authorizing the transportation, over specified regular routes, of general commodities, with the usual exceptions, between Quinton, Okla., and McAlester, Okla., and Fort Smith, Ark. John B. Baumert, 108½ East Choctaw, McAlester, Okla., attorney for applicants.

No. MC-FC-67873. By order of June 17, 1965, the Transfer Board approved the transfer to Hahn Truck Line, Inc., an Oklahoma Corp., Oklahoma City, Okla., of the operating rights of Hahn Truck Line, Inc., a Kansas Corp., South Hutchinson, Kans., in Certificates Nos. MC-117765, MC-117765 (Sub-No. 1), MC-117765 (Sub-No. 2), MC-117765 (Sub-No. 3), MC-117765 (Sub-No. 11), MC-117765 (Sub-No. 12), MC-117765 (Sub-No. 13), MC-117765 (Sub-No. 14), and MC-117765 (Sub-No. 17), issued August 9, 1960, February 24, 1960, September 9, 1960, April 29, 1959, December 20, 1961, January 6, 1964, December 10, 1963, September 23, 1964, and August 14, 1964, respectively, authorizing the transportation over irregular routes, of dry fertilizer materials, in bulk and in bags, greases, lubricating oil, and anti-freeze, in containers, salt and salt products, lubricating oils and greases, in containers, agricultural implements, and machinery, fence posts, lumber, cotton gin machinery, cottonseed products, livestock, combines, and tractors, agricultural implements, and farm and road

machinery, cream, salt, household sprays, anti-freeze, salt, in bulk and in bags, mineral feed mixtures and lime, mineral mixtures, for animal or poultry feed, and lime (ground or pulverized limestone), mineral mixtures and pepper, animal and poultry mineral feed mixtures and pepper, and malt beverages and advertising matter for the sale of such beverages, from, to, and between specified points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Texas, and Wisconsin, varying with the commodities transported. Rufus H. Lawson, 106 Bixler Building, 2400 Northwest 23d Street, Oklahoma City 7, Oklahoma, attorney for applicants.

No. MC-FC-67902. By order of June 17, 1965, the Transfer Board approved the transfer to Frantz Transfer, Inc., Wilkes-Barre, Pa., of the operating rights of Marian F. Frantz and Frances E. LaBar, a partnership, doing business as Frantz Transfer, Wilkes-Barre, Pa., in Certificate No. MC-74460, issued June 28, 1963, authorizing the transportation, over irregular routes, of general commodities, excluding household goods and commodities in bulk, and other specified commodities, between Wilkes-Barre, Pa., and points within 10 miles of Wilkes-Barre, household goods, between Wilkes-Barre, Pa., and points within 10 miles of Wilkes-Barre, on the one hand, and, on the other, points in New York, New Jersey, Connecticut, Indiana, Ohio, Maryland, Delaware, West Virginia, and the District of Columbia, and butter, eggs, meat, and packinghouse products, between Wilkes-Barre and Scranton, Pa., on the one hand, and, on the other, Binghamton, Johnson City, Endicott, and Narrowsburg, N.Y., and points in Pennsylvania within 80 miles of Wilkes-Barre. Mitchell Jenkins, 1000 Blue Cross Building, Wilkes-Barre, Pa., 18701, attorney for applicants.

[SEAL]

BERTHA F. ARMES,
Acting Secretary.

[P.R. Doc. 65-8638; Filed, June 23, 1965;
8:48 a.m.]

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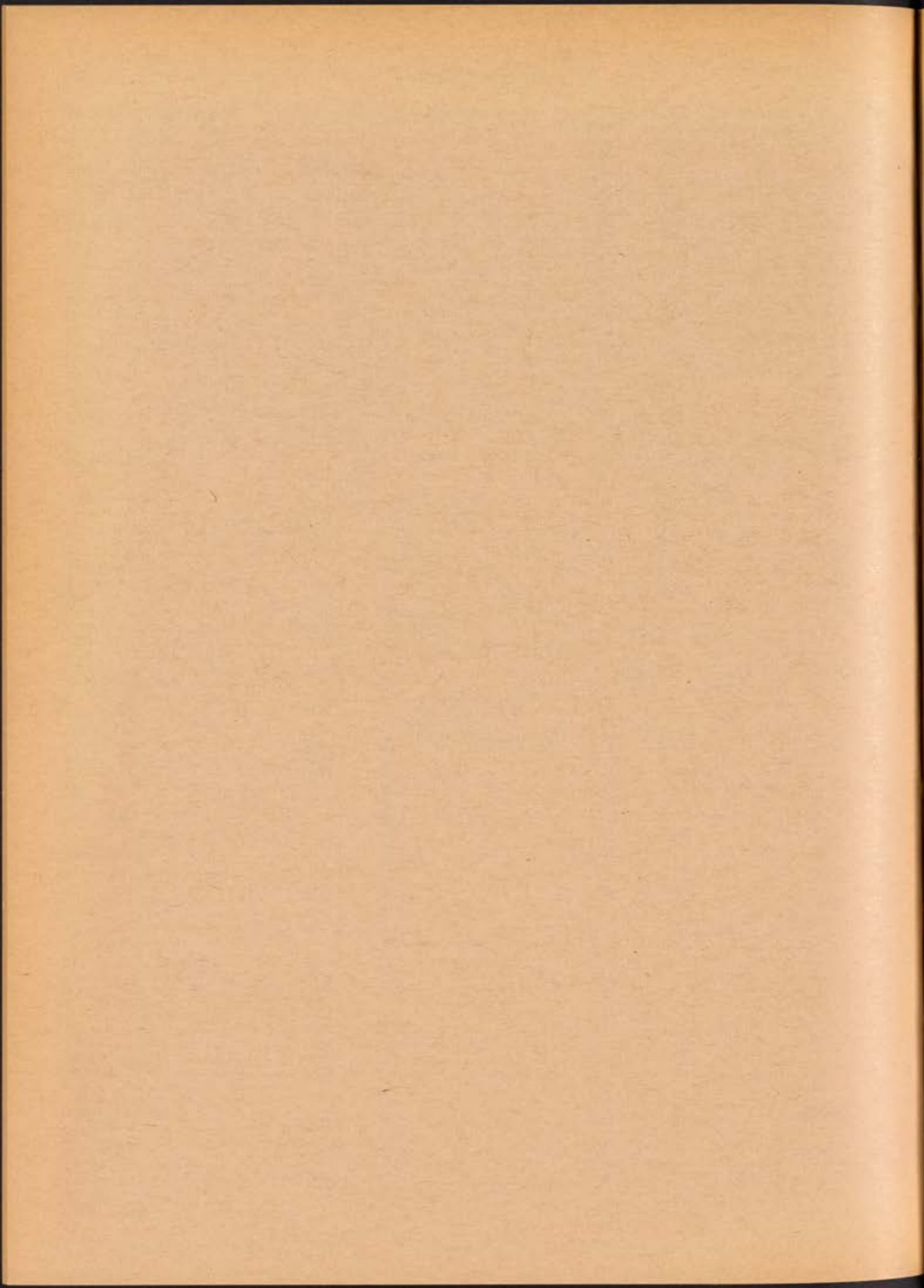
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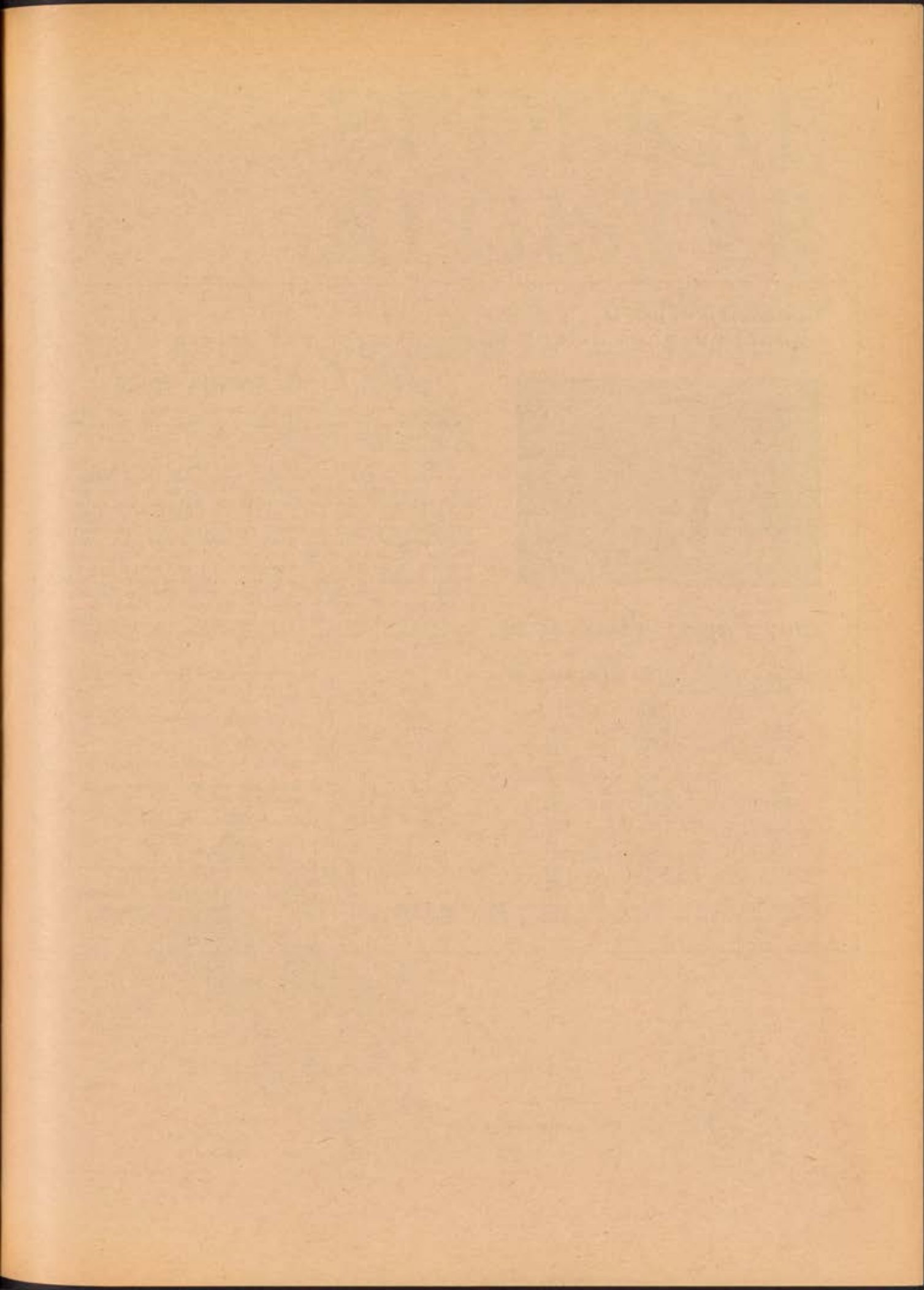
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